

**IN THE SUPERIOR COURT JUVENILE DIVISION
PIERCE COUNTY, WASHINGTON
NOTICE OF HEARING**

IN RE THE WELFARE OF

██████████

DOB: ██████████

CAUSE NO: ██████████

NAME: ██████████	WSB#: ██████████
ADDRESS: ██████████	TELEPHONE#: ██████████
CITY, STATE, ZIP: ██████████	
EMAIL: ██████████	Assistant Attorney General

Please take notice that an issue of law in this case will be heard on the date below and the clerk is directed to note this issue on the appropriate calendar.

NATURE OF HEARING: GUARDIAN AD LITEM'S MOTION TO AMEND PLACEMENT TO RELATIVE CARE

All motions shall be made in compliance with all applicable Court Rules and in writing, copies of the Motion, Notice of Hearing (date and time), together with all supporting documents including affidavits, declarations, and certified statements must be served on all parties at least seven (7) Court days before the hearing.

DATE AND TIME OF HEARING: {Yellow} Wednesday, September 7, 2022, 10:30 AM, JCD3, via Zoom <https://zoom.us/j/98153040940?pwd=cDVxT2FMeUU0alpndkExbkRyMWNkQT09>

<input type="checkbox"/> Red Docket (Tacoma West 11/34) (10:30 AM Monday JCD3)	<input type="checkbox"/> Contested Docket (Monday, Thursday JCD4, Wednesday JCD3)
<input type="checkbox"/> Orange Docket (Tacoma West 3/40) (3:00 PM Monday JCD3)	<input type="checkbox"/> Legally Free (9:00 AM 2 nd /4 th Friday, JCD4)
<input checked="" type="checkbox"/> Yellow Docket (Parkland 84/87) (10:30 AM Tuesday JCD3)	<input type="checkbox"/> Family Recovery Court (9:00 AM Friday, CCB)
<input type="checkbox"/> Green Docket (Parkland 68/81) (3:00 PM Wednesday JCD3)	<input type="checkbox"/> Best 4 Babies (3:00 PM 2 nd Friday, JCD3)
<input type="checkbox"/> Light Blue Docket (Lakewood South 9/13/26) (10:30 AM Thursday JCD2)	<input type="checkbox"/> Special Set
<input type="checkbox"/> Blue Docket (Puyallup East 24/35) (3:00 PM Thursday JCD2)	
<input type="checkbox"/> Lavender Docket (Puyallup East 32/45) (10:30 AM Thursday JCD3)	

Signed:	Dated: 8/24/2022
Name: Morgan Chaput	WSB#: 42869
ADDRESS: 5501 Sixth Avenue	TELEPHONE#: (253) 798-7338
CITY, STATE, ZIP: Tacoma, WA 98406	
EMAIL: morgan.chaput@piercecountywa.gov	Attorney for: Child Advocate Program of PC

THE ABOVE INFORMATION MUST BE COMPLETED AND SIGNED
The Commissioner's Courtrooms are located at Remann Hall 5501 6th Avenue, Tacoma, WA 98406-2696

ADDITIONAL PARTIES

NAME: [REDACTED]	WSB#: [REDACTED]
ADDRESS: [REDACTED]	TELEPHONE#: [REDACTED]
CITY, STATE, ZIP: [REDACTED]	[REDACTED]
E-MAIL: [REDACTED]	

NAME: [REDACTED]	WSB#: [REDACTED]
ADDRESS: [REDACTED]	TELEPHONE#: [REDACTED]
CITY, STATE, ZIP: [REDACTED]	Attorney for Mother
E-MAIL: [REDACTED]	

NAME: [REDACTED]	WSB#: [REDACTED]
ADDRESS: [REDACTED]	TELEPHONE#: [REDACTED]
CITY, STATE, ZIP: [REDACTED]	Attorney for Mother
E-MAIL: [REDACTED]	

NAME: [REDACTED]	WSB#: [REDACTED]
ADDRESS: [REDACTED]	TELEPHONE#: [REDACTED]
CITY, STATE, ZIP: [REDACTED]	Attorney for Father
E-MAIL: [REDACTED]	

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**IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF PIERCE
JUVENILE COURT**

IN RE THE WELFARE OF:) **CAUSE NO.** [REDACTED]
)
) **GUARDIAN AD LITEM'S MOTION TO**
) **AMEND PLACEMENT TO RELATIVE**
) **CARE**
)
_____)

The Guardian ad Litem, [REDACTED], by and through her attorney, moves this court for an Order amending placement to relative care with, paternal Grandmother, [REDACTED]. This motion is based on the declaration of [REDACTED], as well as the court's files and the records therein.

DATED this 24th day of August, 2022.

Morgan Chaput, WSBA No.42869
Attorney for Child Advocate Program of Pierce County

Certificate of Service

I hereby certify that I served a true and correct copy of this pleading by fax, email, e-service, or mail to all parties of record on the ____ day of ____ 2022.

_____ Name/Date

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**IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF PIERCE
JUVENILE COURT**

IN RE THE WELFARE OF:

██████████
DOB: ██████████

) **CAUSE NO.** ██████████
)
) GUARDIAN AD LITEM'S
) DECLARATION IN SUPPORT OF
) GAL'S MOTION TO AMEND
) PLACEMENT TO RELATIVE CARE
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)

I, ██████████, am the assigned Guardian ad Litem for the above-named child. I am over 18 years of age and competent to testify to the statements made herein. I hereby declare under penalty of perjury under the laws of the State of Washington that the following is true and correct:

1. This Guardian ad Litem is respectfully requesting that ██████'s placement be amended to paternal Grandmother, ██████████.
2. In making this request, the Guardian ad Litem has completed a walkthrough of the proposed placement's home and has been advised by DCYF of the results of Grandmother's homestudy. Grandmother's homestudy was approved for placement of ██████ in August 2022.

- 1 a. This Guardian ad Litem has been unable to review the homestudy, despite
2 requests from DCYF.
- 3 b. This GAL respectfully requests that DCYF file the homestudy for review by
4 the Court as part of its response to this Motion to Amend Placement.
- 5 3. [REDACTED] is currently in foster care. He has been in this home for approximately one
6 year, the duration of his dependency, aside from a short receiving care
7 placement at the very beginning of the case.
- 8 4. [REDACTED] has a half-Brother, [REDACTED].
- 9 a. The children resided together briefly but had aggressive behaviors toward
10 each other.
- 11 b. Even now, when the children visit, the visitation monitors have to
12 physically separate the children to keep them from hurting each other.
- 13 c. Placement of the brothers together has been considered by this GAL but
14 is not recommended at this time.
- 15 i. The children have different parentage and different permanency
16 plans.
- 17 5. This GAL understands that Washington State law requires preference for
18 relative placement over foster care.
- 19 6. Paternal Grandmother, [REDACTED], has come forward as a placement option
20 for [REDACTED], as she had previously raised him.
- 21 a. Due to some allegations of physical discipline ([REDACTED] stated that “She hit me
22 with a belt”), as well as concerns surrounding paternal Grandmother’s
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1 prior foster care license, a homestudy needed to be completed prior to the
2 placement being approved.

3 7. Paternal Grandmother was referred for a psychological evaluation with a
4 parenting component. DCYF's referral for this service stated as follows:

5 [REDACTED]
6 [REDACTED]
7 [REDACTED]
8 [REDACTED]
9 [REDACTED]
10 [REDACTED]
11 [REDACTED]
12 [REDACTED]
13 [REDACTED]
14 [REDACTED]
15 [REDACTED]
16 [REDACTED]
17 [REDACTED]
18 [REDACTED]
19 [REDACTED]
20 [REDACTED]
21 [REDACTED]
22 [REDACTED]
23 [REDACTED]

1 a. Social Worker [REDACTED] has indicated to this GAL that an
2 assessment was completed and provided to the homestudy writer
3 for [REDACTED].

4 b. This GAL has yet to receive a copy of that assessment from DCYF,
5 despite a request for the same.

6 8. Paternal Grandmother's homestudy was approved in August 2022 and paternal
7 Grandmother was approved for placement of [REDACTED].

8 9. This GAL visited paternal Grandmother's home on 8/24/2022 and observed it to
9 be safe and appropriate for him to stay. She had a room all set up for him and
10 is prepared for him to come and stay.

11 a. This Guardian ad Litem has met with paternal Grandmother, who shared
12 her strong attachment with [REDACTED] and her parenting strategies and
13 philosophies.

14 10. This GAL has met with [REDACTED] many times over the course of this dependency. He
15 has consistently reported to this GAL that his desired foal is to live with his
16 Grandmother and to be out of foster care.

17 a. In June 2022, [REDACTED] stated to this GAL that "Granny used to hit me, but she
18 doesn't do that anymore."

19 b. He has been having regular weekend visits with her for a few hours on
20 Sundays.

21 i. He states that he enjoys seeing her during these visits and that she
22 is very important to him.

23 24 25 11. [REDACTED] would like to change placements ahead of the new school year.

1 a. Even if this is not possible, paternal Grandmother has agreed to keep him
2 in his prior school for the supports and relationships that he has built
3 there.

4 12. An FTDM occurred on 8/16/2022. All parties were present and all parties were
5 in agreement to work toward a transition of [REDACTED] to his Grandmother's home.

6 13. This Guardian ad Litem's understanding is that Mother is opposed to this
7 placement.

8 a. This GAL last spoke with Mother on 4/18/2022 at a Permanency Planning
9 staffing.

10 b. At that time, Mother alleged that she had been sexually abused while in
11 paternal Grandmother's care. Mother reported that she had proof, but has
12 not yet provided that information to this GAL.

13 14. This Guardian ad Litem's understanding is that Father supports the placement
14 change.

15 15. This Guardian ad Litem recommends the following for [REDACTED]'s transition:

16 a. Continuation of the WISE team that has been working with [REDACTED] for almost
17 a year and is deeply invested in his wellbeing.

18 i. This team has already indicated a desire to be involved with the
19 transition, as well as support for paternal Grandmother in her care
20 of [REDACTED]

21 b. Continuation of his enrollment at his current school, [REDACTED]
22 [REDACTED].
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1 i. This school has worked well with [REDACTED] to create a 504 plan that is
2 very constructive in partnership with his needs and there is a Right
3 at School program that is also familiar with [REDACTED].

4 c. These constants will help [REDACTED] feel confident and safe during his transition
5 to Grandmother.

6 d. These two transitional elements were both agreed upon by paternal
7 Grandmother during the FTDM.

8 16. This Guardian ad Litem believes it is in the best interest of a child to be placed
9 with appropriate relative caregivers, if possible.

10 17. [REDACTED] is a smart and aware young child who has continually desired to be with
11 family.

12 18. The proposed relative caregiver was his primary caregiver for several years of
13 his life and he desires to be back with her and clearly has an attachment to her.

14 19. The relative has overcome the barriers to placement and has worked toward
15 having him with her. It is appropriate for them to be reunited at this time.

16 20. This Guardian ad Litem believes that is in [REDACTED]'s best interest that his
17 placement be amended to relative care at this time.

18
19
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21 _____, Guardian ad Litem
Pierce County Juvenile Court

_____ Tacoma, WA
Date/Place

22
23 Certificate of Service

24 I hereby certify that I served a true and correct copy of this pleading
25 by fax, email, e-service, or mail to all parties of record on the ____ day of ____ 2022.

Name/Date

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**IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF PIERCE
JUVENILE COURT**

IN RE THE WELFARE OF:

██████████,
DOB: ██████████

) **CAUSE NO.** ██████████
)
) ORDER AND FINDINGS OF FACT
) ON GUARDIAN AD LITEM'S MOTION
) TO AMEND PLACEMENT TO
) RELATIVE CARE

THIS MATTER having come on this day before the Honorable Judge/Court Commissioner of the above-entitled Court, upon Motion of the Guardian ad Litem, by and through its counsel of record, Morgan O. Chaput; the Court having heard argument of counsel, having considered the declaration filed herein, and being fully advised in the premises, NOW, THEREFORE,

THE COURT FINDS that

- 1.1 The statute and caselaw are clear that preference must be given to placement in relative care for all children in the dependency system who are removed from the care of their parents.
- 1.2 The Court has the authority to oversee and decide placement decisions of children in dependency proceedings based upon the health, welfare, safety and best interest of the child. See RCW 13.34.060 (2); RCW 13.34.065(4); RCW 13.34.138. When determining placement of children, the overriding consideration is the best interest of the child. See *In re the Dependency of J.B.S.*, 123 Wn.2d 1, 863 P.2d 1344 (1993). A placement decision is a highly fact specific inquiry and cannot be reduced to a mathematical equation. *J.B.S.*, at 11.

- 1 1.3 Placement in relative care is preferred under RCW 13.34.130(6), "Placement of the
2 child with a relative or other suitable person as described in subsection (1)(b) of
3 this section shall be given preference by the court."
4 1.4 [REDACTED] is currently in foster care.
5 1.5 Paternal Grandmother, [REDACTED], has been identified as a placement resource
6 for [REDACTED]. Paternal Grandmother cared for [REDACTED] prior to this dependency.
7 1.6 Due to allegations of physical abuse and concerns regarding Grandmother's prior
8 foster care license, DCYF requested Grandmother complete a homestudy prior to
9 being considered for placement of [REDACTED].
10 1.7 Paternal Grandmother's DCY homestudy was approved in August 2022 for
11 Grandmother to be placement for [REDACTED].
12 1.8 [REDACTED] has an existing bond with Grandmother and has requested to be placed in her
13 home.
14 1.9 Mother has indicated that she was not in support of placement of [REDACTED] with paternal
15 Grandmother, due to allegations of sexual abuse that occurred while in paternal
16 Grandmother's care. There has not been any evidence produced to support those
17 allegations.
18 1.10 Father is in support of placement with paternal Grandmother.
19 1.11 It is not in [REDACTED]'s best interest to remain in foster care when there are viable
20 relatives who are available for placement.
21 1.12 It is in [REDACTED]'s best interest to be placed with paternal Grandmother, [REDACTED], at
22 this time.

23 **IT IS THEREFORE ORDERED:**

- 24 2.1 The Guardian ad Litem's Motion to Amend Placement to Relative Care is
25 GRANTED.
2.2 [REDACTED]'s placement shall be amended to relative care with paternal Grandmother,
[REDACTED].
2.3 To the extent possible, [REDACTED]'s WISE team should continue to work with [REDACTED] as he
transitions to his Grandmother's home.
2.4 To the extent possible, [REDACTED] should continue to attend his current school,
[REDACTED].

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Done this 7th day of September 2022.

Judge/Court Commissioner

Presented by:

Morgan Chaput, WSBA No. 42869
Attorney for Child Advocate Program

Approved via Zoom 9/7/2022
_____, WSBA No. _____
Assistant Attorney General

Approved via Zoom 9/7/2022
_____, WSBA No. _____
_____, WSBA No. _____
Attorney for Mother

Approved via Zoom 9/7/2022
_____, WSBA No. _____
Attorney for Father