

# Amarillo Case Study Materials

## CPS Case File

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

<b>Current Placement</b>	<b>Address</b>	<b>Phone</b>
Foster Parents:  Stanley & Karen Becker	406 N. Dale Street	210-555-5874

<b>Attorneys for</b>	<b>Attorneys</b>	<b>Phone Numbers</b>
Mother	Jody Franken	830-555-9894
Father	Mary Holzer	726-555-1337
CPS	Jordan Myers	210-555-7344
Children	Maggie Jones	210-555-2395

## Case History

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

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

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

**November 20 (three years ago):** Group home of Maria Amarillo reported Maria ran away on 11/9. Maria has not been in contact with group home or caseworker. Parents have reported that they received several calls from Maria but would not disclose her location.

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

**January 8 (two years ago):** The first permanency hearing occurred and it was determined that parents have made no progress toward completing court-ordered services. The children remain in out-of-home placement. A maternal aunt in El Salvador has come forward as a potential placement for the girls. Maria has been moved from a short-term foster home to a long-term placement, but remains separated from her siblings.

## Case History, Cont'd.

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

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

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

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

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

**May 3 (two years ago):** Following the second permanency hearing, Joanna and Graciela Amarillo have been placed in a new foster setting. Foster family has also expressed a willingness to serve as a placement for Maria. Maria has been transitioned from her previous foster placement into a transitional housing center for teenage girls. Parents have not engaged in court-ordered services. The department has filed a petition to terminate parental rights.

**July 17 (two years ago):** The department assessed the feasibility of placing the children with the Valdez family and determined this would not be an appropriate placement due to their undocumented immigration status, the number of people currently residing in their home and their reported level of income.

## Case History, Cont'd.

**August 9 (two years ago):** Parental rights were terminated.

**September 26 (two years ago):** Maria was moved to the same foster home as her younger siblings.

**Today:** CASA volunteer assigned to this case.

Current CASA	You and your team	Date Assigned:
Initial CPS Caseworker	Gerri Grady	7/3 (three years ago)
Previous CPS Caseworker	Danielle Mancuso	9/19 (three years ago)
Current CPS Caseworker:	Alberta Gillis	Last month

## Court-Ordered Services

### For the Child (Maria):

Medical health needs reviewed per physician's orders due to issues with asthma

Educational needs to be met as appropriate

### For the Child (Joanna):

Educational needs to be met as appropriate

### For the Child (Graciela):

Age-appropriate childcare to ensure educational needs are met

### For the Father:

Rights have been terminated

### For the Mother:

Rights have been terminated

**Who do you want to interview first?**

## The Questioner's List

### Questions to consider periodically:

- Where else could we get information that would be useful?
- What are the barriers to reunification?
- Have we engaged all relatives?

### Questions to consider before finalizing court recommendations:

- Are our court recommendations child focused?
- Have we covered every need of the children in this case?
- Did we appropriately consider each child's minimum sufficient level of care (MSL) in forming our recommendations for this case?
- Do our recommendations ask for what is appropriate, whether or not it is readily available?
- Is our work clear, diplomatic, culturally informed and non-judgmental?

## Medical History: Amarillo, Maria

*Prepared by: Dr. Madeline Bemelmans, County General Hospital*

Patient was first admitted on 3/17 (two years ago) for a severe, acute asthma episode. Medication was administered and episode passed. Patient has described a history, dating back to age 7, of attempting to control her asthma through natural and behavioral methods and was reluctant to accept medication.

Patient also has Type 1 (Juvenile) Diabetes. Patient has had regular, annual screenings since she was first admitted, and it has been determined that her glucose and insulin levels have been well regulated. There have been no further asthma episodes.

On October 23 of last year, patient began a new prescription: Ortho-Cept (28) Oral.

HIPAA – the Health Insurance Portability and Accountability Act of 1996. The HIPAA Privacy Rule provides federal protections for personal health information held by covered entities and gives patients an array of rights with respect to that information. At the same time, the Privacy Rule is balanced so that it permits the disclosure of personal health information needed for patient care and other important purposes.

- What difference does this information make to the case?
- What are your follow-up questions?

## CPS Caseworker: Alberta Gillis

### ***Setting: Phone Call***

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

I'm honestly wondering about the possibility of having Maria join her aunt in El Salvador. Her aunt wants her there and is asking about the holdup. She says she is ready to care for Maria, and it would be a family placement. And this SIJS thing is pretty complex as well as kind of a gamble.

Maria's diabetes is well controlled. There's no medical reason to keep her in the United States. I know her brother died in El Salvador due to his diabetes, but that was a long time ago. There's no reason for Maria to worry about that happening to her. From what I know, she'd get her medical needs met.

The Valdez family is undocumented. Beyond that I really haven't learned much about them. Mr. and Mrs. Valdez don't speak English and I don't speak Spanish. We just aren't going to give custody to undocumented folks, even if the Valdezes checked out okay and have no criminal records.

This case has been open way too long. With the state's budget as it is right now, we're looking to get resolution on some of these lingering cases. We want to close the Amarillo case as quickly as possible and that's exactly what I plan to do.

I understand that Maria wants to stay in Texas. Obviously I don't blame her—this country has been her home for more than a decade, and her whole life is here. But even if she did stay in foster care with the Beckers—which she doesn't want to do anyway—at the end of the day she's still undocumented, and she'd have to live her adult life in constant fear of being deported. That's just not a viable plan. The easiest thing is just to send her to her aunt and hope for the best.

## **CPS Caseworker: Alberta Gillis, Cont'd.**

- What is this CPS worker's number one priority?
- What difference does this interview make to the case?
- What are your follow-up questions?



## Maria Amarillo

### ***Setting: Howard High School, guidance counseling office***

Hi, it's nice to meet you. What can I tell you about myself? I've been living in this country for about 13 years. My parents brought me here when I was little, just after my brother passed away from medical complications. They didn't want the same thing to happen to me. We both have diabetes. They wanted to make a safer life for us here. And even though I was born in El Salvador, my life here in the states is the only life I remember. This is my home, you know?

I mean, it sucks, the way my dad treats my mom when he gets mad. I wish he would stop taking things out on her like that. But honestly it feels like everyone is punishing me and my sisters for his mistakes. They've separated me from my little sisters. They've put me in all these different homes. We'd be fine if we just all lived at the Valdez house. They're my family. I love Lourdes—she's my best friend. Me and my sisters just feel comfortable over there—like we're home. I don't get why we can't live with them. Maybe they don't have a lot of money, but I know they'd be able to take care of us.

My aunt Consuela lives in El Salvador. I see her every couple of years, I guess. She's cool. I did tell CPS that I'd like to live with her at one point. But that's when I was living in the group home and any place would have been better than being stuck there.

The Beckers are ok, but they're super strict about religion. It's not really a relaxing place to live. I respect them for taking care of my sisters and taking me in. Their house is nice and they've been good to us. But it's not home. And they drag me and my sisters to their church, but it's really not like what we're used to. We're Catholic, and I was always taught that you have to choose your church—you shouldn't bounce from one church to another. And Susan Becker is another story. She acts all goody-two-shoes around her parents, but she can actually be really mean, and constantly sneaks around at night.

You should come visit me at the Valdez home and see what I mean. Give them a call—Pedro and Anna don't speak English that well, but Lourdes will be able to translate on the phone for you.

- What difference does this interview make to the case?
- What are your follow-up questions?

## School Guidance Counselor: Julia Mansfield

### ***Setting: Counseling office***

Hi, yes, I'm familiar with the CASA/GAL program.

I've been Maria's guidance counselor for two years now. I'll follow her class through graduation. Here is her academic record if you'd like to see it. Her GPA is 2.8 on a 4-point scale. Her grades in high school have been average to good. They were lower in middle school, especially when Maria's CPS case opened.

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

Maria puts on a happy face and shows her cheerful side to the world, but deep inside she's pretty upset about her situation. She's really sad that her family has been. . . well, broken up. She was separated from her little sisters for about a year and I think it was pretty traumatic for her not to be able to look after them and make sure they were ok. She said she ran away a few times in hopes she'd be able to see them or be placed with them. And she's worried about her mother. She's worried about her dad too, especially because of his drinking. She's mad at him of course, but she loves him too. The whole situation is painful and difficult.

She is also really concerned about her status in this country. You know she doesn't want to go back to El Salvador. She says she doesn't want to go live with her aunt—she doesn't have a close relationship with her and says she doesn't see a future for herself there. If she was forced to go back there, she'd be totally isolated from everything she's known the last ten years. But I'm also worried about how her lack of legal status will limit her life here.

No, I don't know Lourdes Valdez that well. I see her in the halls, though, and she seems like a nice kid. Maria is very attached to her.

## **School Guidance Counselor: Julia Mansfield,Cont'd.**

I've got the sense that Maria has had a crush on a couple different guys at school, but nothing serious. I don't see Maria as being at risk for becoming a teenage mom, but you never know about things like that. I'm not really sure if she has anyone to talk to about family planning stuff, you know?

- What difference does this interview make to the case?
- What are your follow-up questions and to whom do you wish to address them?

## Foster Parents: Stanley and Karen Becker

**Setting:** *The Becker Home, Saturday morning*

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

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

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

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

*Karen:* Do you mind if we're frank with you about Maria for a second? We're a little concerned about her. She likes to spend time at the Valdez house. Which we totally understand. They're her family. But it doesn't seem to be the best atmosphere. I mean, they're great—but they seem to have big parties every weekend. And I guess I worry about Maria falling in with one of the teenage boys that sometimes hang out over there.

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

*Karen:* Seriously, these are teenage boys, and I just don't know how much the adults are monitoring them, you know? I know she's been friends with her cousin Lourdes for a long time, and really Lourdes seems like a nice girl. She's always polite when she comes over here. But that house is so small. I don't know how they all fit over there.

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

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

## Foster Parents: Stanley and Karen Becker, Cont'd.

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

*Karen:* Well, anyways, those are a few concerns we have about Maria. Again, Joanna and Graciela are such sweet kids. Graciela just started in the daycare down the street.

*Stanley:* And Joanna is so cute. She's in kindergarten...

*Karen:* First grade.

*Stanley:* First grade. And she is so excited when she comes home from school with a new art project. She even loves doing homework in the evenings.

*Karen:* Thanks again for stopping by. If there's anything else you need from us, let us know.

- What are the issues in this case?
- What difference does this interview make to the case?

## Maternal Aunt: Consuela Amarillo

### *Setting: Phone Call (Long-Distance to El Salvador)*

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

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

I would love for Maria to come back here and live with me. I have three daughters of my own and it would be a blessing to have Maria's help around the house. But beyond that, I know there are some questions about her residency status. I'd hate for her to end up getting deported—I know people who've been deported from the U.S. after a simple traffic stop, and had their whole lives suddenly ripped away from them. I'd actually love for all the girls to come back here. Family is important. But I understand why people feel they need to stay in the U.S.

I really wish Myrian would leave Jose. His drinking has always been such a problem, and he gets violent with her. We've talked though, and she doesn't think that she can leave him. It's really sad.

Myrian and Jose both do the same farm labor that Pedro Valdez does, so they see each other regularly, but they're not supposed to visit the house if Maria's there. Maria's not supposed to be visiting with her parents since they lost their rights, but I think they must see each other sometimes. Especially if Maria goes to church with the Valdez family.

Do you think you might be able to help me bring Maria back home?

- How will you answer her final question?
- What do you know about domestic violence that might explain why Myrian doesn't leave Jose?
- Is Consuela's expectation that Maria would help with her children appropriate? Why or why not?

## Relatives: Pedro and Anna Valdez (daughter Lourdes serves as translator)

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

*Pedro:* Usted quiere quedar para la cena?

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

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

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

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

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

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

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

- How do you answer some of the questions posed by the Valdez family?
- Do you think this could be a potential long-term/permanent placement for the Amarillo girls? Why or why not?

## Maria Amarillo: Second Contact

### **Setting: Valdez home**

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

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

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

Who told you about the birth control? That's kind of personal... But it's not what you think. I've had a lot of problems with my period and my doctor said these would help. But they make me break out. I might see if I can stop taking them.

Yeah, I see my mom and dad in church sometimes if I get to go with Lourdes and her family. But that's just between me and you. Please don't tell anyone about that. Especially not Ms. Gillis.

I don't think Aunt Consuela really needs my help in El Salvador, and there's no way I'm going to leave my little sisters and move to another country. I can't even imagine being separated from them like that! Having to live in separate foster homes was awful enough. Joanna's been asking about talking to our aunt, though. The Beckers don't let us make international calls, so I guess I need a phone card. I'm not sure how else to call her. Would you be able to help me get one? It's kind of a weird thing to ask, but I don't have any extra cash right now.

- Will you buy Maria a phone card? Why or why not?
- Will you keep Maria's secret about seeing her parents? How do you answer her on that issue?



# Volunteer Supervisor

## Setting: CASA/GAL Program Office

I'm so glad you asked about immigration status. These type of situations don't come up on our cases very often, but when they do it's super important to know the options—we have a huge responsibility to make informed recommendations about Maria's well-being and future. I've done a little research and it turns out that Maria may qualify for Special Immigrant Juvenile Status (SIJS).

Minors who are under the supervision of juvenile court (both delinquency and dependency cases) can apply for lawful immigration status if the court order has specific language. They must apply for both Special Immigrant Juvenile Status and for permanent residency (the “green card,” which actually isn't green at all).

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

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

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

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

What I'm about to tell you is really, really important, because this is kind of an all-or-nothing deal. If Maria applies for Special Immigrant Juvenile Status and is turned down, ICE might attempt to deport her from the United States. Therefore, it will be best to not make the application for SIJS unless it is likely to be successful. Does that make sense?

## **Attorney for the CASA/GAL Program, Cont'd.**

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

- Would you recommend that Maria apply for SIJS? Why or why not?
- What are your follow-up questions?

## Amarillo Case Debrief Questions

- How did Maria's expressed desires impact the recommendations you made to the court?
- How did the caseworker's opinion affect the way you viewed and acted on this case?
- How might you go about addressing the religious dynamics of this case—specifically, conflict between the children's home religion and the religious beliefs/practices of the foster family? What resources (local or otherwise) might you turn to in order to find a suitable religious outlet for Maria?
- When it comes to the hierarchy of placement/permanence options, where do non-relative placements fall?
- How do the cultural expectations of Maria's family compare to those in your family?
- Would your recommendations and view of Maria's best interest be different if Maria were 12 or 13?
- How might the cultural issues raised in this case be transferable to a case not involving immigration and potential cross-border placement?
- How would you respond to a youth who has told you about a need for birth control medication?
- Domestic violence played a role in the girls' removal from their original home. Does it remain an ongoing concern at this point in the case? Why or why not?