

**IN THE COURT OF COMMON PLEAS, FRANKLIN COUNTY, OHIO
DIVISION OF DOMESTIC RELATIONS
JUVENILE BRANCH**

IN RE:

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CASE NO.

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JUDGE GILL

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MAGISTRATE VANWEY

SUPPLEMENTAL REPORT OF GUARDIAN AD LITEM

In accordance with this Court's order of appointment and the terms of Franklin County Court of Common Pleas, Division of Domestic Relations, Juvenile Division, Rule 4, this Guardian was originally appointed by this Court on _____, as Guardian ad Litem (effective as of: _____)(Case Number _____). The parties to this litigation are _____, mother of the minor child, _____, alleged father of the minor child and the minor child, _____, _____ (date of birth: _____). The identity and whereabouts of the alleged Father, _____ are known at the present time. Service upon Father was completed on _____ via process server. Mother's whereabouts are known, and she has been served via waiver at the preliminary hearing.

The Guardian ad Litem has carefully reviewed Ohio Rule of Superintendence Rule 48 and Franklin County Local Juvenile Rule 27 that governs the scope of the investigation of the Guardian ad Litem. The Guardian ad Litem has considered the facts pertaining this case. In addition, the Guardian has considered the best interest and special needs of _____. After considering these factors and the input of the mother as to whether the procedures in Ohio Rule of Superintendence 48 are advisable and practical, the Guardian has conducted the following investigation to date:

The Guardian was able to discuss the allegations with Mother at the time of the Preliminary Hearing, during a subsequent private telephone conference and at length during her home visit. The Guardian was also able to discuss the allegations with the FCCS caseworker.

After considering these factors and the input of the Mother and the caseworker from FCCS in addition to Ohio Rule of Superintendence 48, the Guardian has conducted the following investigation:

- (a) Meet and interview the child and observe the child with each parent, foster parent, guardian or physical custodian and conduct at least one interview with the child where none of these individuals are present;**

The minor child is now one year old. [redacted] has been placed with maternal uncle and aunt at the present time and resides with them and their children. Mother and Father have supervised visits with [redacted] at FCCS in [redacted] each Monday at 11:00 a.m. The Guardian was able to interview Mother on August 3, 2022 via telephone. The Guardian attempted to interview Father via telephone, but his work schedule prevented same, initially. The Guardian has been able to speak with Father, in a limited way during the supervised visits. In addition thereto, the Guardian was able to conduct a home visit with both Mother and Father present (Father however was suffering from an infected tooth, was asleep the entire visit and as such, no interview occurred). Since visits are supervised at FCCS, the Guardian was not able to observe the parents with the child in their home. Instead, the Guardian has attended supervised visits at FCCS and has been able to observe the parents with [redacted] during the visits.

The Guardian has also interviewed [redacted] s kinship providers via telephone and zoom calls. In addition thereto, the Guardian has observed [redacted] in their home both in person and via Zoom. The Guardian was able to observe [redacted] with the kinship providers and their

children during the home visit. The Guardian notes that _____ is an infant and is not verbal at the present time. As such, no interview of the child could be conducted. The Guardian notes that _____ turned one on _____ 2023 and at present she is crawling, lifting herself up and eating solid foods.

- (b) **The Guardian ad Litem should visit the child at his or her residence in accordance with any standards established by the court in which the guardian ad litem is appointed;**

The Guardian did conduct a home visit at the parents' current home, as they now reside together. _____ was not present, as all visits are supervised by FCCS and occur at their _____ location. The Guardian conducted the home visit and noted that the parents' current residence has some issues which need to be addressed. Specifically, there were no outlet covers over any of the electrical outlets, the smoke alarm appeared not to be operable (and most likely needs to be replaced due to age, wear and tear), the front window was missing/broken and needs replaced, the rear door to the apartment is completely inaccessible and Father has stored a lot of heavy tools and other items which pose safety risks to the child. Mother indicated with agreement that the apartment is not appropriate for _____ at this time and that work would be necessary to render it fit for her to live in. Mother did have clothing, toys, a portion of a crib (it is not put together and the Guardian did not see all of the parts thereto) and other baby items present in the apartment. Overall, there are several major housing issues which need to be addressed. Mother stated that she has contacted the landlord to remedy the issues but he has been less than responsive. Therefore, at the present time, the home would not meet the standards set by the Court. **Update: Mother's current address is not known at the present time, as she was evicted. Father was living with Mother and the Guardian and as such, it is believed that he was required to leave the premises as well.**

Case No. _____

The Guardian was able to observe [REDACTED] in her kinship home. The home was appropriate in all respects for [REDACTED]. The family has provided for all of her needs and there were no safety concerns observed by the Guardian during her home visit. [REDACTED] appears comfortable and well provided for in the kinship home with the entire family. The family is able to meet all of [REDACTED]'s physical needs and their home is in accordance with the standards set by this Court.

(c) Ascertain the Wishes of the Child;

[REDACTED] has just turned one year old and as such, is essentially non-verbal. The Guardian notes, however, that she is well bonded with her kinship providers and family, as they fully attend to her constant, daily care. [REDACTED] is also bonding with Mother and Father and that bond appears to be growing over time. [REDACTED] is responsive to and seems to recognize both of her parents.. For the most part, Mother and Father attend the supervised visits regularly. They have missed some visits recently per FCCS.

(d) Should the Guardian ad Litem Interview Other Significant Individuals?

The Guardian also interviewed the FCCS caseworker and other members of the kinship family. The Guardian would like to have an extended interview with Father, but that has proven to be difficult due to his work schedule and most recently, his unavailability at the home visit.

(e) The Guardian ad litem shall review pleadings and other relevant court documents in the case in which the guardian ad litem is appointed;

The Guardian has reviewed the court file in order to determine basic facts of the case and the proceedings to date. The Guardian has attended all court proceedings and hearings.

- (e) The Guardian ad Litem shall review criminal, civil, educational and administrative records pertaining to the child and, if appropriate, to the child's family or other parties in the case;

The Guardian did review all available criminal and civil records relating to Mother. The following was discovered:

Address:

DOB:

Consumption, 4301.69(E)(1), M1, Guilty, Case No.

Warning:	PAYMENTS DUE
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Name:	[REDACTED]
Address:	[REDACTED]
City, State Zip:	[REDACTED]
DOB:	[REDACTED]
Insurance:	U

Case:	[REDACTED]
File Date:	[REDACTED]
Incident:	[REDACTED]
Status:	[REDACTED]
Next Date:	[REDACTED]
Next Time:	[REDACTED]

Violation Case:	[REDACTED]
Section Code:	4301.69(E)(1) - UNDERAGE CONSUMPTION
Violation Date:	09/07/2013
Local Agency:	State of Ohio
Arresting Agency:	[REDACTED]
Other Violations:	0
Priors:	2
Attorney:	[REDACTED]
Judge:	[REDACTED]
Prosecutor:	[REDACTED]
Date Heard:	[REDACTED]
Original Charge:	
Original Plea:	NG - NOT GUILTY
Final Plea:	G - GUILTY
Finding:	GOC - GUILTY TO ORIGINAL CHARGE
Sentencing Conditions:	

Penalty:	M1
Points:	0
License Suspended:	
Jail:	
Jail Term:	
Jail Credits:	
Work Release:	
EMH Jail Days:	
Probation Time:	
Probation Term:	
Probation Conditions:	
Fines Due:	\$ [REDACTED]
Fines Suspended:	
State Cost:	\$ [REDACTED]
Local Cost:	\$ [REDACTED]
Other:	\$ [REDACTED]
Fees:	\$ [REDACTED]
Credits:	
Total Due:	\$ [REDACTED]

Warning:	PAYMENTS DUE
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Name:	[REDACTED]
Address:	[REDACTED]
City, State Zip:	[REDACTED]
DOB:	[REDACTED]
Insurance:	U

Case:	[REDACTED]
File Date:	[REDACTED]
Incident:	[REDACTED]
Status:	[REDACTED]
Next Date:	[REDACTED]
Next Time:	[REDACTED]

Violation Case:	[REDACTED]
Section Code:	4301.69(E)(1) - UNDERAGE CONSUMPTION
Violation Date:	[REDACTED]
Local Agency:	[REDACTED]
Arresting Agency:	[REDACTED]
Other Violations:	0
Priors:	2
Attorney:	[REDACTED]
Judge:	[REDACTED]
Prosecutor:	[REDACTED]
Date Heard:	[REDACTED]
Original Charge:	[REDACTED]
Original Plea:	[REDACTED]
Final Plea:	[REDACTED]
Finding:	[REDACTED]
Sentencing Conditions:	[REDACTED]

Penalty:	[REDACTED]
Points:	[REDACTED]
License Suspended:	[REDACTED]
Jail:	[REDACTED]
Jail Term:	[REDACTED]
Jail Credits:	[REDACTED]
Work Release:	[REDACTED]
EMH Jail Days:	[REDACTED]
Probation Time:	[REDACTED]
Probation Term:	[REDACTED]
Probation Conditions:	[REDACTED]
Fines Due:	[REDACTED]
Fines Suspended:	[REDACTED]
State Cost:	[REDACTED]
Local Cost:	[REDACTED]
Other:	[REDACTED]
Fees:	[REDACTED]
Credits:	[REDACTED]
Total Due:	[REDACTED]

Warning:	PAYMENTS DUE
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Name:	[REDACTED]
Address:	[REDACTED]
City, State Zip:	[REDACTED]
DOB:	[REDACTED]
Insurance:	U

Case:	[REDACTED]
File Date:	[REDACTED]
Incident:	[REDACTED]
Status:	[REDACTED]
Next Date:	[REDACTED]
Next Time:	[REDACTED]

Violation Case:	[REDACTED]
Section Code:	4301.69(E)(1) CONSUMPTION
Violation Date:	[REDACTED]
Local Agency:	[REDACTED]
Arresting Agency:	[REDACTED]
Other Violations:	0
Priors:	2
Attorney:	[REDACTED]
Judge:	[REDACTED]
Prosecutor:	[REDACTED]
Date Heard:	[REDACTED]
Original Charge:	
Original Plea:	NG - NOT GUILTY
Final Plea:	G - GUILTY
Finding:	GOC - GUILTY TO ORIGINAL CHARGE
Sentencing Conditions:	

Penalty:	M1
Points:	0
License Suspended:	
Jail:	
Jail Term:	
Jail Credits:	
Work Release:	
EMH Jail Days:	
Probation Time:	
Probation Term:	
Probation Conditions:	
Fines Due:	\$ [REDACTED]
Fines Suspended:	
State Cost:	\$ [REDACTED]
Local Cost:	\$ [REDACTED]
Other:	\$ [REDACTED]
Fees:	\$ [REDACTED]
Credits:	
Total Due:	\$ [REDACTED]

6/17/2020 – Licking OH, Driving Under Fra Suspension, 4510.16, MM, Case No. [REDACTED], Not Guilty Plea

6/17/2020 – Licking OH, Unsafe Vehicle, 4513.02, MM, Case No. [REDACTED], Not Guilty Plea

Warning:	PAYMENTS DUE
Warning:	WARRANT OUT

Name:	[REDACTED]
Address:	[REDACTED]
City, State Zip:	[REDACTED]
DOB:	[REDACTED]
Insurance:	[REDACTED]

Case:	[REDACTED]
File Date:	[REDACTED]
Incident:	[REDACTED]
Status:	BENCH WARRANT ISSUED
Next Date:	08/13/2020
Next Time:	

Violation Case:	[REDACTED]
Section Code:	4513.02 - UNSAFE VEHICLE
Violation Date:	[REDACTED]
Local Agency:	[REDACTED]
Arresting Agency:	STATE HIGHWAY PATROL
Other Violations:	0
Priors:	2
Attorney:	No Attorney Name
Judge:	[REDACTED]
Prosecutor:	M. [REDACTED]
Date Heard:	
Original Charge:	
Original Plea:	NG - NOT GUILTY
Final Plea:	
Finding:	
Sentencing Conditions:	

Penalty:	WAIVER MM
Points:	
License Suspended:	
Jail:	
Jail Term:	
Jail Credits:	
Work Release:	
EMH Jail Days:	
Probation Time:	
Probation Term:	
Probation Conditions:	
Fines Due:	
Fines Suspended:	
State Cost:	
Local Cost:	
Other:	
Fees:	
Credits:	
Total Due:	\$0.00

Mother had four recent evictions in Franklin County, to wit: [REDACTED] and [REDACTED].

No records, other than traffic violations, were located with respect to Father.

- (f) The Guardian ad Litem shall interview school personnel, medical and mental health providers, child protective services workers and relevant court personnel and obtain copies of relevant records;

The child is an infant and as such there are no school records relating to her.

Review Medical Records

The Guardian has reviewed the medical records which have been provided and made available to date. The records confirm that at the time of [REDACTED]'s birth, Mother and child tested positive for Methamphetamine and THC. Mother has also admitted to using fentanyl just prior to [REDACTED]'s birth. The records further confirm Mother's use of drugs during pregnancy, an overdose during pregnancy and use of methamphetamine by Mother one day after release from the hospital. The medical records further confirm that Mother had sporadic prenatal care and that drug use was detected in utero. Lastly, the medical records confirm that [REDACTED] was born addicted to methamphetamine and fentanyl and suffered withdrawal symptoms requiring a stay in the NCIU.

Since placement, [REDACTED]'s health and wellbeing have dramatically improved. She is no longer showing obvious symptoms of drug withdrawal. In addition, after birth, it appeared that she tended to favor her right side and was not completely visually and audibly responsive. Over the past several months, the Guardian has observed marked improvement in [REDACTED]. She is no longer favoring her right side, she rotates her head normally, her eyesight and hearing are normal. She is now crawling, pulling herself up and attempting to stand. She has been linked with Help Me Grow but the kinship provider reports that the services are no longer necessary due to her improvements.

Review Mental Health Issues

The Guardian anticipates that there will be mental health issues to be reviewed once assessments are completed. To date, assessments have not been completed. According to Mother, she has been attempting to schedule same around her work schedule. Mother stated that

she intended to complete an assessment with Amythest and that she was seeking a counselor to assist her with her depression and PTSD. Additionally, mother indicated that she was attempting to register for parenting classes. She also indicated that she was looking for an alcohol and drug support group and was willing to screen for a treatment program. The Guardian does not believe that Mother has made any significant progress on her substance abuse/addiction/sobriety treatment goals and to address her mental health issues. Mother has, however, secured a parenting mentor who is assisting her now and attempting to support her through this process. Mother also stated that she has completed the parenting class, but is having issues accessing the certificate of completion to provide same to FCCS. Mother stated she will provide same to the Guardian as soon as possible.

Interview Protective Service Personnel

The Guardian has spoken with the caseworker on multiple occasions.

Interview Court Personnel

No interviews of court personnel were necessary.

- (g) The Guardian ad Litem shall recommend that the court order psychological evaluations, mental health and/or substance abuse assessments, or other evaluations or tests of the parties as the guardian ad Litem deems necessary or helpful to the court;**

Psychological Examination

The Guardian believes that Mother should receive mental health treatment and complete an AOD assessment. The Guardian believes that Father should undergo an AOD assessment. These are parts of the current case plan which have not yet been completed by the parents.

Update: Mother has not completed her AOD assessment as of this date.

Random Drug Screens and Alcohol Assessment

The Guardian believes that Mother and Father should submit to random drug screens. Neither parent has submitted to any drug screens as of the date of this report. Father was ordered to complete a screen at the time of the prior court hearing to establish that he has no substance issues. Father did not complete the drug screen as required and indicated that it was because of an issue relating to his motor vehicle. The Guardian has not received any drug screen results for Father since the March, 2023 order for him to do so. As such, Father should be required to submit to drug screens, unless there was compliance with the prior Court Order. **Update: Neither Father nor Mother have complied with drug screens.**

- (h) **The Guardian ad Litem shall perform any other investigation necessary to make an informed recommendation regarding the best interest of the child.**

The Guardian believes that a further investigation will be necessary to make an informed recommendation regarding [REDACTED]'s best interest.

STATEMENT OF ALLEGED FACTS AND STATUS OF PROCEEDINGS

This case was commenced on or about [REDACTED] upon [REDACTED]'s birth when Mother tested positive for methamphetamines and marijuana. [REDACTED]'s cord blood tested positive for amphetamines, methamphetamines, Norfentanyl, fentanyl and cocaine. Mother states that she found out she was pregnant around sixteen weeks and stated that she stopped using all substances until using fentanyl just prior to [REDACTED]'s birth. Mother has also admitted to using methamphetamine upon her release from the hospital. [REDACTED] has experienced withdrawal symptoms for which she was treated in the NCIU with medications. FCCS has discussed a safety plan with Mother, but she has not been receptive to same. She has minimized her substance abuse and is resistant to treatment. Upon review of the medical records, it appears that Mother has had

a prior history of significant alcohol abuse, as well as drug abuse.

Mother has been unable to maintain any stable employment and housing for at least the last several years. She is not able at the present time to meet [redacted]'s basic needs on a consistent, daily basis. Moreover, she has failed to complete the assessments, drug screens and treatment for both her sobriety and mental health issues. While Mother states a willingness to complete an AOD assessment and join a drug and alcohol support group, she has not done so. The Guardian does not believe that Mother is sober at the present time. In short and overall, Mother's compliance with the orders of the Court regarding drug testing, assessments and treatment has not yet occurred and this case has been pending for nearly one year. In addition, the housing that she has secured is not safe for [redacted] without significant improvements by the landlord.

[redacted] had some physical issues which were actively addressed by the kinship provider via medical appointments and therapies. [redacted] has responded very well and Help Me Grow has discontinued services, as they are no longer necessary. At the present time, the kinship provider reports that [redacted] does not have any special medical or physical needs.

ANALYSIS

The Guardian previously found that pursuant to the legal definition, testing positive for methamphetamine and marijuana upon Adrianna's birth rendered [redacted] an abused and dependent child pursuant to Ohio Revised Code Sections 2151.031 (D) and 2151.031 (C). Mother proceeded uncontested on the Complaint and the case plan has been approved.

CONCLUSION AND RECOMMENDATION

Based upon her investigation, the Guardian recommends that [redacted] continue to remain in the temporary custody of FCCS. The Guardian further recommends that both Mother

and Father substantially complete all of their case plan requirements and objectives. The Guardian further continues to recommend that any and all visitation continue to be supervised by the agency or its designee. The Guardian further states that unless Mother and Father make significant efforts to substantially comply with the case plan filed herein, the pending Motion for Permanent Court Commitment should be granted.

THE GUARDIAN AD LITEM REPORT SHALL BE PROVIDED TO THE COURT, UNREPRESENTED PARTIES, AND LEGAL COUNSEL. ANY OTHER DISCLOSURE OF THE REPORT MUST BE APPROVED IN ADVANCE BY THE COURT. UNAUTHORIZED DISCLOSURE OR DISTRIBUTION OF THE REPORT MAY BE SUBJECT TO COURT ACTION, INCLUDING THE PENALTIES FOR CONTEMPT, WHICH INCLUDE FINE AND/OR INCARCERATION.

The Guardian further notes that the foregoing includes any disclosure of this report either in whole or in part to the minor children.

The Guardian has complied with the requirements of Rule 48 of the Rules of Superintendence promulgated by the Ohio Supreme Court to the best of her ability.

Respectfully Submitted,

Guardian Ad Litem