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STATE OF HAWAI'I

Electronically Filed
FIRST CIRCUIT
1CC191001419
19-DEC-2025
10:27 PM
Dkt. 578 EXH

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT
STATE OF HAWAI'I

JOHN ROE NO. 121,

Plaintiff,

vs.

STATE OF HAWAI'I; JOHN A. TEIXEIRA;
JOHN DOES 1-10; DOE CORPORATIONS
1-10; DOE PARTNERSHIPS 1-10; DOE
NON-PROFIT ENTITIES 1-10; and DOE
GOVERNMENTAL ENTITIES 1-10,

Defendants.

CIVIL NO.: 1CC191001419
(Other Non-Motor Vehicle Tort)

JOINT TRIAL EXHIBIT 40

Judge: Honorable Kevin T. Morikone
Trial: April 22, 2024

Possible Referral to Private Agency? ☐ Yes ☒ No.

(Dummy Case Record Information Sheet)

Page 1 continued:

for most of the morning. T[REDACTED] threw furniture around the counselor's office, swept things off the counselor's desk and tried to bite the counselor. The school (Ma'ili Elementary) has asked that T[REDACTED] not return for the rest of the school year, as his behavior is too disruptive to other students and teachers.

On 05/21/98, T[REDACTED] was placed in the T[REDACTED] ESH. However, on 05/26/98, Mrs. T[REDACTED] asked for his removal. Mrs. T[REDACTED] reports that T[REDACTED] was running up and down the street, hit and slapped the other children and provoked the other children in the home. On 05/26/98, T[REDACTED] was placed in the home of I[REDACTED] E[REDACTED]. Mrs. E[REDACTED] asked for T[REDACTED] removal on 05/31/98. Mrs. E[REDACTED] reports that T[REDACTED] tried to break everything in the hotel room in which they spent the night, tried to break the table by the pool, and tried to break the family's television set. T[REDACTED] was placed with S[REDACTED] C[REDACTED] on 05/31/98. The placement was temporary, as no other ESH's would accept T[REDACTED].

On 06/02/98, T[REDACTED] was placed in the home of J[REDACTED] T[REDACTED] in Waimanalo. Mr. T[REDACTED] is licensed by the Judiciary, but has transferred to DHS. There are no other foster homes available for T[REDACTED]. Mr. T[REDACTED] was introduced to T[REDACTED] by Mrs. C[REDACTED]. Mrs. C[REDACTED] and Mr. T[REDACTED] are good friends. T[REDACTED] spent time with Mr. T[REDACTED] and thoroughly enjoyed playing with the animals on the ranch. Mr. T[REDACTED] has cared primarily for teens with very challenging behavior. Thus, he has the practical experience to handle T[REDACTED]'s behavior. Whether this placement can be sustained is unknown; however, this is T[REDACTED]'s best chance to maintain a placement until he can be admitted to Kahi Mohala.

Kahi Mohala's acute care unit has placed T[REDACTED] on their priority wait list for the next available bed space. As of 06/02/98, Kahi Mohala has no bed space. AU is in the process of referring T[REDACTED] for residential care with Kahi Mohala. Upon his release from Kahi Mohala, Mr. T[REDACTED] has agreed to have T[REDACTED] returned to his (Mr. T[REDACTED]'s) home. At this time, however, the placement is strictly a foster placement.

T[REDACTED] has an appointment with Perry Heinz, M.D., Kahi Mohala, for a psychiatric evaluation on 06/04/98. It is hoped that with medication, T[REDACTED]'s behavior will stabilize. He has been referred to Charlene Bell, Ph.D., for psychotherapy. However, the appointment with Dr. Bell was canceled due to T[REDACTED]'s placement that same day. T[REDACTED] will need to be referred to a therapist in Waimanalo.

T[REDACTED] appears a very angry child, who feels unloved and unwanted. His birth mother discovered the phone number of Ms. K[REDACTED]'s residence and told T[REDACTED] that she would get him back next year. This very likely has caused anxiety and heightened issues that T[REDACTED] felt about his mother. T[REDACTED]'s mother neglected her children and exposed them to violence. T[REDACTED]'s four other siblings reside in foster care; the goal for the siblings is adoption.

Until T[REDACTED] stabilizes emotionally and behaviorally, T[REDACTED] will not be ready for adoption. He is in need of special caretakers, who are able to deal with T[REDACTED]'s many behavioral/emotional challenges. It is hoped that with therapy, psychiatric services and a stable environment, that T[REDACTED] will be able to deal with the feelings he has regarding his mother, the separation from his siblings, permanency, etc. T[REDACTED], at this time, is not appropriate for adoption services.

Child(ren)'s Guardian *ad Litem*: Malcolm Hong

Assigned Family Court (FCT) Judge: Allene Suemori Next FCT review hearing 11/19/98 @ 9:30

Other FCT deadlines Application was made to summer school; Judge Suemori ordered that the children attend summer school. DOE is ordered to waive tuition or the state must pay the tuition.

Mother's Name: B [REDACTED] M [REDACTED] Mother's Atty.: N/A

Father's Name: T [REDACTED] M [REDACTED] Legal Status: Legal; Alleged; X Adjudicated

Father noticed of FCT involvement? N/A Is publication required? Yes X No

Father's Atty.: N/A

Father's Name: _____ Legal Status: Legal; Alleged; Adjudicated

Father noticed of FCT involvement? _____ Is publication required? Yes No

Father's Atty.: _____

Will the parents contest Permanent Custody to DHS? Yes No In 05/98, Ms. Meacham informed Mr. Hong of her desire to appeal PC to DHS. However, PC was awarded to DHS on 08/04/98. Thus, Ms. Meacham does not meet the timeline to file an appeal. 08/04/98

Has the Motion for Permanent Custody been filed? Yes No. (Anticipated) date: _____
N/A

Parental involvement with DHS/Compliance with services?

Parental rights divested 08/97.

Birth Parent Forms: Obtained & attached the following required documents.

Mother: X Medical Info Form; X Release of Medical Info; Medical Rec.; Affidavit re: 1991 + Adopt

Father(s): Medical Info Form; Release of Medical Info; Affidavit re: 1991 + Adopt

ART Approval/Denial for PC & transfer to AU ✓ YSU. JUN 8 1998 DATE
GOAL: Adoption LG LTFC Referral Casey/POI Other Private

[Signature] [Signature] [Signature] [Signature]
OCWSSA1 OCWSSA2 OCWSSA3 AU Sup YSU SW
6/8/98 6/9/98 6/9/98 06/08/98

REQUIRED (*) Documents Attached:

- 1 * PICTURES OF THE CHILD(REN)/Caregivers
- 7 * Safe Family Home Report (initial and most recent sets)
- 7 * Face Sheet (with child(ren)'s current placement, address, phone number)
- 7 * Permanent Plan
- 7 * Psychological/Psychiatric evaluation(s) on child(ren) (if performed)
- * Psychological/Psychiatric evaluation(s) on parent(s) (if performed)
- * CPS Team Conference Report(s) (if performed)
- * Adoption related forms
- Other (specify) _____

Exp. ART (04/98)

CONFIDENTIAL-SUBJECT TO PROTECTIVE ORDER

SOH 002456

John Roe 121 v. State of Hawai'i, et al.

Civil No.: **1CC191001419**

Defendant's Exhibit: **JT40**

Marked for Identification: _____

Received into Evidence: _____

Clerk, First Circuit Court