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STATE OF HAWAI'I

Electronically Filed
FIRST CIRCUIT
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Dkt. 585 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 47

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

MALCOLM E. HONG #1923
504 Bank of Hawaii Building
98-211 Pali Momi Street
Aiea, Hawaii 96701
Telephone No. 487-1043

NOV 16 1998

FIRST CIRCUIT COURT
STATE OF HAWAII

1998 NOV 12 AM 10:29

Guardian Ad Litem

IN THE FAMILY COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

In the Interest of

B [REDACTED] N [REDACTED] R [REDACTED],

Born on [REDACTED].

FC-S No. 88-0933

In the Interest of

C [REDACTED] M [REDACTED] O [REDACTED] M [REDACTED],

Born on [REDACTED].

FC-S No. 88-0932

In the Interest of

M [REDACTED] CHILDREN:

A [REDACTED],

Born on [REDACTED];

T [REDACTED], Jr.,

Born on [REDACTED].

FC-S No. 95-04111

In the Interest of

I [REDACTED] F [REDACTED],

Born on [REDACTED].

FC-S No. 95-04112

In the Interest of

K [REDACTED] F [REDACTED],

Born on [REDACTED].

FC-S No. 95-04113

SEVENTH GUARDIAN AD LITEM
REPORT

PP Review: 11/19/98
Time: 9:30 a.m.

SEVENTH GUARDIAN AD LITEM REPORT

CONFIDENTIAL-SUBJECT TO PROTECTIVE ORDER

SOH 002144

Date of Appointment: September 28, 1995

Type of Case: Physical abuse/neglect by mother.

Type of Hearing: PP Review

Initial Foster Placement: September 25, 1995

Contacts:

<u>Persons Interviewed</u>	<u>Title/Relationship</u>	<u>Date of Contact</u>
Julie Tsutsui/Brian Lott	DHS s.w.s	5/20/98, 5/22, 5/26, 5/27, 5/31, 6/2, 8/6, 8/13, 8/14, 8/25, 8/31, 9/1, 9/10, 10/23, 10/30
Kris Otake	TCFP sw	5/12, 5/15, 7/15, 8/13, 9/2, 9/8
B [REDACTED] T [REDACTED] A [REDACTED], I [REDACTED] K [REDACTED], C [REDACTED]	wards	5/13, 7/14, 8/25, 9/9, 10/15
Mrs. F [REDACTED] John Texeira, T [REDACTED] K [REDACTED]	foster parents	5/20, 6/30, 7/8, 7/9, 7/13, 9/1, 9/4, 9/9
Pam Ono	P.O.	8/14, 8/18, 8/25, 11/2
Steven Ige	counselor	10/29

ASSESSMENT:

Children: B [REDACTED] (the olderst at age 15 years) was on the run since 11/97; he was apprehended in 8/98, held at DH, sentenced for a number of law violations (primarily thefts related to supporting his drug habit) and sent to HYCF for one year (with early release to a program or placement if found). Most likely, he will be sent to a Mainland residential program, although he states that he does not want to leave Hawaii. The problem with keeping him here is that he will most definitely run. Hence, I have no problem with sending him to a Mainland program. His issues involve his drug addiction as well as his relationship with his mother and siblings (he has a strong desire to visit his mother, who was PCd and now lives in Las Vegas--she

still is inappropriate, telling the other children during phone visits unacceptable things, such as promises of re-unification).

T [REDACTED] Jr. (age 8 years) was in placement with a non-relative family friend for several years, but in 5/98, she called me and asked that he be removed, so I contacted DHS to locate a new home. After two failed placements and almost being sent to Kahi Mohala, he ended up in the home of J [REDACTED] T [REDACTED], who is a master at handling difficult teenage boys. As expected, he has turned T [REDACTED] around. His behavior and attitude in the home are excellent, although not so in school. Mr. T [REDACTED] has sought therapeutic assistance through the school. He is in individual therapy with Dr. Walker. Mr. T [REDACTED] is willing to take PC over T [REDACTED] from DHS (which is what he does with many of his wards). I presented this to DHS, which initially rejected the proposal. Subsequently, they changed their mind and have supposedly endorsed the plan (I hope so). This would allow T [REDACTED] to remain until at least age 18 (Mr. T [REDACTED] usually keeps the boys even after they age out).

C [REDACTED] (age 11 years) still remains in placement with a non-relative family. His placement is providing him only with the very basic needs. It is not very nurturing, and he has complained about being not very happy there. He enjoys visiting with his 3 younger siblings on a regular basis. Fortunately, all four of them (A [REDACTED] age 10 years; I [REDACTED], age 7 years; and K [REDACTED] age 4 years) were accepted into The Casey Family Program (TCFP) in 9/98. TCFP is currently searching for homes for the 4 of them. It may not be possible to find one home that will take all 4, so they may be paired off into 2 different homes, which, under the circumstances, would be acceptable. Only after permanent homes are located and the placements secure will TCFP take over PC from DHS. That may take several months.

Parents: Mother still calls the youngest children occasionally. I have asked the foster mother to monitor the calls to watch for inappropriate statements and so forth. Mr. M [REDACTED] recently contacted DHS from prison inquiring about his son and the legal status (he was reminded of the PC).

Agencies: Things are finally moving in the children's cases.

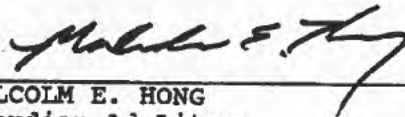
Permanent Plan: The existing Permanent Plan is sufficient.

Judicial Pretrial Assistant: N/A

RECOMMENDATION/OBJECTION STATEMENT:

I support transfer of PC over T [REDACTED] from DHS to Mr. T [REDACTED]. I support E [REDACTED] being placed in residential treatment on the Mainland. I support TCFP being afforded time to locate homes for C [REDACTED], A [REDACTED], I [REDACTED] and K [REDACTED], albeit in 2 different homes.

DATED: Honolulu, Hawaii, November 10, 1998.


MALCOLM E. HONG
Guardian Ad Litem

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

Civil No.: **1CC191001419**

Defendant's Exhibit: **JT47**

Marked for Identification: _____

Received into Evidence: _____

Clerk, First Circuit Court