

[REDACTED], Social Worker  
Department of Human Services  
State of Hawaii  
75 Aupuni Street  
Hilo, Hawaii 96720  
Telephone: [REDACTED]

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AUG 20 1991  
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Petitioner

A Confidential Report of the  
Department of Human Services

IN THE FAMILY COURT OF THE THIRD CIRCUIT

STATE OF HAWAII

In the Interest of )  
[REDACTED] ) FC-S No. [REDACTED]  
[REDACTED] )  
[REDACTED] ) AMENDED PETITION FOR TEMPORARY  
[REDACTED] ) FOSTER CUSTODY  
[REDACTED] )  
[REDACTED] )  
Children under the age of ) JUDGE: BEN H. GADDIS  
eighteen years. ) DATE: AUGUST 20, 1991  
 ) TIME: 2:30 P.M.

AMENDED PETITION FOR TEMPORARY FOSTER CUSTODY

Mother's Name/Address

Child(ren)'s Address

Jaylin Acol  
28-2926 Kumula St., Q 26  
Pepeekeo, Hawaii 96783

DHS Licensed Foster Home  
Hilo

Father's Name/Address

Other's Name/Address/Relationship

[REDACTED]

Peter Kema, Sr./Stepfather  
28-2926 Kumula St., Q 26  
Pepeekeo, Hawaii 96783

COMES NOW the Petitioner, a duly appointed social worker of the Department of Human Services ("DHS"), and hereby declares, under penalty of perjury, that the statements made herein are true and correct to the best of Petitioner's knowledge, information and belief.

1. The above-named children come within the provisions of Sections 571-11(9), 587-11, and 587-2, Hawaii Revised Statutes ("HRS").

2. The children were found within the State of Hawaii at the time the following facts and circumstances which have caused the children's physical or psychological health or welfare to be subject to threatened harm by the acts or omissions of the children's family occurred, were discovered, or were reported to the DHS, thereby subjecting them to threatened harm.

A. There is a reasonable foreseeable substantial risk that harm may occur to the children based upon an assessment of the criteria set forth in HRS 587-25, including but not limited to the following facts: The children are totally dependent upon their parents for food, shelter, clothing, medical and psychological care and supervision because of their young ages.

B. Peter Kema Jr. was admitted to Hilo Hospital on 8/11/91, at about 5:00 P.M., after being brought to the Emergency Room by Ms. Acol and Mr. Kema "because his leg was swollen". A series of x-rays (long bone scan), were taken of Peter Jr. on that date and revealed that:

1. There were healed fractures of ribs 6,7, and 8 on the left lateral side. These injuries were

at least 3 weeks old.

2. There was damage to the metaphyseal area of each extremity, particularly near the hips, but also near the shoulders, knees, and elbows. These areas are adjoining the "growing tips" of the bone, and are the softest area of the bones of an infant. The damage to the bone in these areas causes cracks and chips which then calcify, leaving healed fractures of the bone and chips near the joints. This damage is caused by excessively rough handling, usually by a twisting motion on the extremity. This damage apparently varied in age from recent up to 6 or 8 weeks old.
3. There was damage to the periosteum, especially near the hips, but also apparent in the areas noted in No. 2, and on the left femur. The periosteum is the covering or "sheath" over the bone which carries the blood for the bone. When this sheath is bruised or separated from the bone, blood enters between it and the bone, and calcifies, leaving a lump or distortion of the bone. This damage is also caused by excessively rough handling, and tends to be associated with the twisting

motion noted in No. 2. This damage also varied in age from recent on the left femur up to 6 or 8 weeks elsewhere.

4. The left hip was "being pushed out of it's socket". The cause could be infection, abuse, or a combination. The exact nature of this dislocation was unclear as of the infant's discharge on 8/16/91. However, Peter Jr. is sufficiently stable for outpatient follow-up.
5. The left knee is reported to be damaged. X-ray reportedly can not show the extent of the damage to the knee, and arthroscopy is probable to determine the extent of the damage, depending on the course of healing and medical follow up. The metatpeseal areas of the left distal femur, above and below the knee reveals fractures, as described in No. 2.
6. Damage was seen to the periosteum on the left femur and on the left tibia, which coincides with the damage to the hip and knee. As the exact nature of the damage is difficult to assess at this time, the exact mechanism likely to cause the damage is equally difficult to assess. The most likely explanation at this time coincides with the other, older injuries caused by excessively

rough handling, probably with a twisting, pulling motion. Although the explanation for the current injuries provided by each caretaker independently may provide a reasonable explanation, this explanation is for the current injuries only.

- C. A CT scan was performed, and the report was negative. A magnetic resonance imaging test, which is capable of detecting fractures or injuries not detectable by a CT scan is being considered.
  - D. The x-rays are being reviewed by a pediatric radiologist at Kapiolani Medical Center for Women and Children, in order to better define the varying ages of the apparent fractures, as well as any apparent pattern to the injuries, and any indication of causation other than abuse.
3. Child Protective Services was notified, simultaneously, at Intake by Hilo Hospital, and by Ms. Acol to the Family Service Assistant, on 8/12/91, at approximately 9:00 A.M. No report was recorded to the CPS standby worker.
  4. Social Worker [REDACTED] interviewed Mr. Kema, first, at Hilo Hospital at approximately 10:30 A.M. Ms. Acol was interviewed separately at Hilo Hospital, at approximately 11:30 A.M. [REDACTED] and [REDACTED] were taken into foster custody at that time, and notice was placed in the hospital file of Peter Jr. for his release to CPS only.

The statements of Mr. Kema and Ms. Acol coincided, although they did not appear to be identical, as in rehearsed statements, concerning the injuries to the left leg, knee, and hip. Each stated they brought Peter Jr. to the Emergency room because his leg had been swollen and appeared sore. They reported this condition had begun on Monday, 8/5/91, several hours after [REDACTED] jumped on "Peter boy" while he was in his car seat. The children were left in the car, in their car seats, in the parking lot of their apartment, while Mr. Kema returned to the apartment to assist Ms. Acol. They returned to a screaming Peter Jr., with [REDACTED] out of her car seat and jumping on Peter Jr. The position of the child in the car seat, and the force from [REDACTED] jumping on the left leg may present a reasonable explanation consistent with the current injuries.

5. Subsequent to the [REDACTED] removal, [REDACTED] has displayed her facility at escaping from car seats, has been reported to play extremely rough by the foster parent, and has spontaneously apologized to the foster mother for "hurting Peter boy". Additionally, [REDACTED] has told the foster mother that [REDACTED] was jumping on Peter boy."
6. This information does not address the negligence in leaving [REDACTED], [REDACTED] in the parking lot, out of sight, nor does it address the remaining

healed injuries. Neither parent offered an explanation, other than falling off the couch, for the remaining injuries. Falling off the couch onto a carpeted floor, from a height of about 22 inches, does not account for the twisting motion required, nor the varying ages of the damaged, fractured ribs, nor the unlikelihood of the infant having mobility over the entire history of the injuries.

7. The children were placed in Temporary Foster Custody on August 12, 1991, because there is reasonable cause to believe that the harm, as set forth above.
8. **Peter Kema, Jr.** is the subject child in a Chapter 587 case, FC-S No. 91-48.
9. Petition reasserts, realleges, and incorporates all allegations set forth in the Petition for Temporary Foster Custody, filed herein on May 13, 1991.

WHEREFORE, it is prayed that an inquiry be made into the foregoing allegations and that action be taken pursuant to the provisions of Chapter 587, HRS, including but not limited to:

- A. Foster custody of the children be awarded to an appropriate authorized agency; and jurisdiction over the children and other appropriate family members

be established and such other orders as the Court may deem appropriate be entered.

UNLESS THE FAMILY IS WILLING AND ABLE TO PROVIDE THE CHILD(REN) WITH A SAFE FAMILY HOME, EVEN WITH THE ASSISTANCE OF A SERVICE PLAN, WITHIN A REASONABLE PERIOD OF TIME, THEIR RESPECTIVE PARENTAL AND CUSTODIAL DUTIES AND RIGHTS SHALL BE SUBJECT TO TERMINATION.

DATED: Hilo, Hawaii, August 17, 1991



DHS Social Worker



**COPY**

WARREN PRICE III 1212  
Attorney General  
State of Hawaii

ALEY K. AUNA, JR. 3391  
Deputy Attorney General  
Suite 1014-D, Hilo Lagoon Centre  
101 Aupuni Street  
Hilo, Hawaii 96720  
Telephone: 933-4786

THIRD CIRCUIT COURT  
STATE OF HAWAII

FRI AUG 20 10 33 34

JOLENE B. [REDACTED]  
CLERK

Attorneys for the Department  
of Human Services

IN THE FAMILY COURT OF THE THIRD CIRCUIT

STATE OF HAWAII

In the Interest of

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

PETER KEMA, JR.  
Born on May 1, 1991

Children under the age of  
eighteen years.

) FC-S NOS. [REDACTED]  
)  
) 91-48

) ORDER RE: CHAPTER 587, H.R.S.,  
) AS AMENDED

) [ ] EXHIBIT "A"

) HEARING: August 20, 1991

) HONORABLE BEN H. GADDIS

ORDER RE: CHAPTER 587, H.R.S., AS AMENDED

The following parties and/or individuals were present:

- [X] JAYLIN AGOE KEMA \_\_\_\_\_, Mother;
- [X] TIM DESILVA \_\_\_\_\_, Counsel for Mother;
- [X] [REDACTED] \_\_\_\_\_, Father of [REDACTED] Children;
- [X] CELIA URION \_\_\_\_\_, [REDACTED];
- [X] PETER KEMA, SR. \_\_\_\_\_, Father of Kema Child;
- [X] TIM DESILVA \_\_\_\_\_, Counsel for Mr. Kema;
- [X] EDITH RADL \_\_\_\_\_, Guardian Ad Litem;
- [X] [REDACTED] \_\_\_\_\_, DHS Social Worker;
- [X] ALEY K. AUNA, JR. \_\_\_\_\_, Deputy Attorney General;
- [X] PETER KUBOTA \_\_\_\_\_, Attorney for [REDACTED];
- [X] [REDACTED] \_\_\_\_\_, [REDACTED];
- [X] LETTY GALLOWAY \_\_\_\_\_, OLEC Social Worker
- [X] [REDACTED] \_\_\_\_\_, [REDACTED];

I hereby certify that this is a full, true and correct  
copy of the original as filed in the office.  
*[Signature]*

Based upon the records and/or evidence presented and having fully considered all relevant prior and current information pertaining to the guidelines for determining whether the children's family is willing and able to provide the children with a safe family home, the Court finds that:

A There is reasonable cause to believe that continued placement in <sup>temporary</sup> foster custody is necessary to protect the children from imminent harm and continuation in the family home would be contrary to the immediate welfare and best interests of the children;

B Under the circumstances that were presented by this case, reasonable efforts were made by DHS prior to the placement of the children out of the family home to prevent or eliminate the need for removal of the children from the family home;

C Under the circumstances that were presented by this case, reasonable efforts are being made or have been made by DHS to make it possible for the children to return to the family home;

— Pursuant to §587-63(a), H.R.S., as amended, there is an adequate basis (State's Exhibits in evidence) to sustain the petition in that the children are children whose physical or psychological health or welfare has been harmed or is subject to threatened harm by the acts or omissions of the children's family;

— The children's family is not presently willing and able to provide the children with a safe family home, even with the assistance of a service plan;

— Each term, condition, and consequence of the Service Plan and Agreement dated August 17, 1991 (as amended) and attached as Exhibit "A" has been thoroughly explained to and is understood by each party;

D Each party understands that unless the family is willing and able to provide the children with a safe family home, even with the assistance of a service plan, within the reasonable period of time specified in the service plan, their respective parental and custodial duties and rights shall be subject to termination;

E It is in the best interests of the children that  
temporary foster custody be awarded

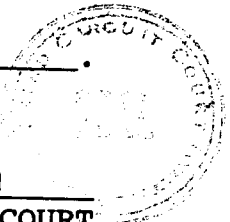
Based upon the foregoing considerations and findings, and good cause appearing therefor;

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

- 1 DHS is awarded temporary foster custody of the children;
- The above-named children and parties come under the exclusive jurisdiction of the Family Court pursuant to §§571-11(9) and 587-11, H.R.S., as amended;
- DHS is awarded foster custody of the children;
- 2 All currently existent orders consistent herewith shall continue in full force and effect until further order of the Court;
- DHS shall file a written report at least fifteen (15) days prior to the next hearing;
- GAL shall visit the children's family home, conduct other appropriate investigation, and file a written report at least fifteen (15) days prior to the next hearing;
- Each term, condition, and consequence of the Service Plan and Agreement dated August 17, 1991 (as amended) is hereby ordered by the Court and a copy is annexed hereto as Exhibit "A" and incorporated herein and made a part of this Order;
- 3 All parties shall appear at a return date hearing, which will be held on September 3, 1991 at 1:00 p.m., before the Honorable Ben H. Gaddis;
- The following exhibits are admitted into evidence, subject to cross-examination thereon:
  - State's 1 DHS Supplemental Report-Safe Home Guidelines with attachments filed July 6, 1991, prepared by [REDACTED], Social Worker;
  - State's 2 DHS Supplemental Report-Safe Home Guidelines with attachments filed August 19, 1991, prepared by [REDACTED], Social Worker;
  - State's 3 First Report of the Guardian Ad Litem dated August 12, 1991;

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DATED: Hilo, Hawaii, \_\_\_\_\_ AUG 20 1991 \_\_\_\_\_



*Ben H. Allen*

JUDGE OF THE ABOVE-ENTITLED COURT

APPROVED AS TO FORM AND CONTENT:

*Evelyn Kawahara*  
*Julia Adams*

*Walter H. ...*  
*Peter K. Kubota*

In the Interest of the [redacted] and Kema Children;  
FC-S Nos. [redacted] and 91-48  
ORDER RE: CHAPTER 587, H.R.S., AS AMENDED

EDITH KAWAI RADL 4631-0  
ATTORNEY AT LAW  
Suite 260 Box 111333  
Kamuela, HI 96743  
Tel: (808) 885-0788

THIRD CIRCUIT COURT  
STATE OF HAWAII  
1991-12-15 P 3:00

Guardian Ad Litem

IN THE FAMILY COURT OF THE THIRD CIRCUIT

STATE OF HAWAII

In the Interest of

) FC-S. NOS. [REDACTED] & 91-48

[REDACTED]

) FIRST REPORT OF THE  
) GUARDIAN AD LITEM;  
) CERTIFICATE OF SERVICE

[REDACTED]

PETER KEMA, JR.  
Born on May 1, 1991

Children under the age of  
eighteen years.

FIRST REPORT OF THE GUARDIAN AD LITEM

COMES NOW EDITH KAWAI RADL, your guardian ad litem, and  
hereby submits the following report:

At the first hearing before this Court, a primary issue  
raised by [REDACTED], [REDACTED] and [REDACTED], was  
that of visitation with [REDACTED]. It is the Guardian  
Ad Litem's understanding that there were struggles over the  
children between [REDACTED] and Peter Kema and  
Jaylin Acol. [REDACTED] (hereinafter [REDACTED])  
sought to intervene in the current action.

I had an opportunity to visit with [REDACTED] at their  
home in Kailua-Kona. The [REDACTED] have served as a safe  
haven for [REDACTED] and her children for some time. In  
fact, the [REDACTED] acted as surrogate parents in [REDACTED]

stead for at least six months from November 1990 through May 1991. Jaylin, the children's mother, was in a rather unsettled position at the time.

I found it curious, as the [REDACTED] reported to me, that [REDACTED] did not inform them of the birth of Peter, Jr. In fact, Jaylin lied to [REDACTED] regarding the whereabouts of the infant. [REDACTED] had been informed that the newborn had to be sent to Kapiolani Women's and Children's Hospital on Oahu. When she asked [REDACTED] how the baby was doing and where the baby was, Jaylin answered that the baby was fine and that the baby was asleep in the bedroom.

The [REDACTED] and I discussed the topic of visitation. The [REDACTED] assured me that although they continue to have serious concerns regarding the safety of the children and the parents' ability to provide consistent care for the children, they really now hope only to have visitation. They are willing to have visitation supervised by [REDACTED]. I informed them that visitations would occur at Betty's home --- making certain that Betty was on premises. The [REDACTED] understand that [REDACTED] and her mate are somewhat defensive regarding the [REDACTED]. They were fully aware of the deterioration in the family relationship.

I felt that the [REDACTED] were genuine in their concern toward the children. I believe that the [REDACTED] will abide with the conditions as outlined above. They also indicated to me that they would very likely be accompanied by [REDACTED], the natural father of the [REDACTED] [REDACTED] reported that they have included [REDACTED] in their own family

in the past, thus making visitations between him and his daughters quite an easy occurrence.

I had an opportunity to speak with [REDACTED] He described in summary his time with Jaylin which began in the latter years of High-school, the birth of the two children, their precarious financial situation. He described the breakdown of the relationship. He described Jaylin in these latter days as going out on the town and leaving the children with various people in the apartment complex. He explained that he worked two jobs most of the time and being unable to keep the family financially sound. Apparently, Jaylin met Peter Acol in these latter days and [REDACTED] stepped out of the relationship.

I have made several attempts to coordinate meetings and visits with Jaylin and Peter. I hoped to see the children, visit the home and talk with Jaylin and Peter regarding services and goals for the future. Although I was initially ill and thus unable to make the first meeting, at each point since then, either myself or my secretary have been hung up on, the phone has rung off the hook (when moments earlier there was an answer and a "click" cutting off the connection), numerous appointments broken -- the result being that I have been prevented from meeting with the children.

Unfortunately, and almost tragically, the situation now finds Peter Kema, Jr. in hospital with rather serious injuries resulting from an unknown source or sources. Preliminary information as of August 11, 1991 was that of a healing fracture to the rib, and fractures in both arms and legs. I visited the hospital not having spoken with either parents, social worker, or

pediatrician. (Reports from the child's doctor have been requested.) I learned that afternoon that there were suspicions of the fractures. Speaking to the parents shed no light. They offered no feasible story or explanation regarding the injuries.

The children have been removed from the home and placed in foster care pending further action by this Court.

#### RECOMMENDATIONS

1. That the Department remove the children from the home and immediately seek and secure temporary foster custody of all

2. That the be continued in foster placement with either no visitation without DHS supervision or visitation at the discretion of the DHS and the guardian ad litem.

3. That psychological evaluations of the parents be obtained immediately.

4. That the Department proceed with an in-depth investigation of the circumstances leading to the injuries and hospitalization of Peter Kema, Jr.

5. That visitations for and be instituted immediately as follows: Initially, as a result of the recent turn of events, the visits to take place at the home of the foster parents. At the discretion of the DHS and the guardian ad litem, the visits may later be modified to permit the to visit with their at the home of Betty.

6. That the DHS seriously consider termination of parental rights as a viable option sooner rather than later as a very real consequence of non-compliance with conditions under a Service

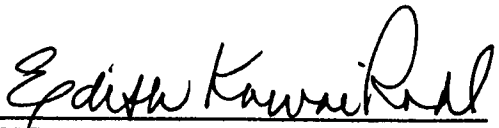


Plan.

7. That the [REDACTED] be continued in a neutral foster care situation in Hilo rather than placement with [REDACTED] [REDACTED] or other 'ohana for the present. Jaylin Acol and Peter Kema and the children currently constitute the "family" unit. This is the group targeted for services and support. It would be unwise at this moment to open up a situation which we know has caused anger and pain.

8. That parents execute all necessary releases for medical and hospital records for all of the children.

DATED: Kamuela, Hawaii, August 12, 1991.

  
EDITH KAWAI RADL  
GUARDIAN AD LITEM

CERTIFICATE OF SERVICE

IT IS HEREBY CERTIFIED THAT a true and correct copy of the foregoing document was duly served by depositing the same in the United States Mail, postage prepaid, and by telecopier transmission, on this date as follows:

ALEY AUNA  
Dept. of Attorney General  
101 Aupuni Street, PH - 1014D  
Hilo, Hawaii 96720

Attorney for DHS

PETER K. KUBOTA  
CASE AND LYNCH  
275 Ponahawai Street.  
Suite 201  
Hilo, HI 96720

Attorney for [REDACTED]

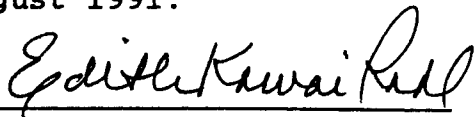
CELIA A. URION  
Suite 226, Box 111333  
Kamuela, HI 96743

[REDACTED]

TIM DE SILVA  
688 Kinoole St.. Suite 209  
Hilo, HI 96720

Attorney for Peter Kema and Jaylin Acol

DATED: KAMUELA, HAWAII, 14 August 1991.

  
EDITH KAWAI RADL

**COPY**

[REDACTED], Social Worker  
Department of Human Services  
State of Hawaii  
75 Aupuni Street  
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Telephone: [REDACTED]

THE STATE OF HAWAII  
DEPARTMENT OF HUMAN SERVICES  
OFFICE OF THE ATTORNEY GENERAL  
1000 KALANOA'OLE DRIVE  
HONOLULU, HAWAII 96813  
TELEPHONE: 535-2500

Petitioner

A Confidential Report of the  
Department of Human Services

IN THE FAMILY COURT OF THE THIRD CIRCUIT

STATE OF HAWAII

In the Interest of )  
[REDACTED] )  
[REDACTED] )  
[REDACTED] )  
[REDACTED] )  
KEMA, PETER JR. )  
Born on May 1, 1991 )  
Children under the age of )  
eighteen years. )

FC-S No. [REDACTED]  
91-48

SUPPLEMENTAL REPORT-SAFE HOME  
GUIDELINES (HRS 587-40);  
SERVICE PLAN AND AGREEMENT;  
CERTIFICATE OF SERVICE

JUDGE: BEN H. GADDIS  
HEARING: AUGUST 20, 1991  
2:30 P.M.

THE DEPARTMENT BELIEVES THAT REASONABLE EFFORTS MUST BE MADE TO PRESERVE THE FAMILY UNIT, PREVENT UNNECESSARY PLACEMENT OF A CHILD, AND RETURN A CHILD TO THE FAMILY BY PROVIDING APPROPRIATE, AVAILABLE SERVICES TO FAMILY MEMBERS IN A TIMELY MANNER.

Reasonable efforts is the process of: 1) identifying the harm/risk of harm to the child which poses a threat to the family preservation; 2) determining how the family problem(s) contributes to the harm/risk of harm; and 3) identifying, providing and assisting the family in obtaining available and appropriate services.

SUPPLEMENTAL REPORT - SAFE HOME GUIDELINES (HRS 587-40)

Date: August 13, 1991

The following information concerns the current information relevant to each of the twenty seven guideline criteria set forth

in HRS 587-25. (Numbers in guideline title indicate numbers as set forth in statute.) This report is intended to be reviewed in conjunction with each of the prior reports, submitted in this case, prepared by DHS Social Worker [REDACTED], dated May 14, 1991, and DHS Social Worker [REDACTED] dated July 2, 1991.

1. THE AGE, MENTAL AND EMOTIONAL VULNERABILITY OF THE CHILD AND HIS/HER MEDICAL AND DENTAL NEEDS, DEVELOPMENTAL GROWTH, ACADEMIC LEVEL, PEER RELATIONSHIPS, PSYCHOLOGICAL ATTACHMENT TO CARETAKER, DEGREE OF TRUST WITH CARETAKER AND WILLINGNESS/FEAR OF REMAINING IN THE FAMILY HOME. (#1, #16, #18A, #21)

Dental care for [REDACTED] is arranged through Kam Dental Clinic, and his next appointment is for August 20, 1991 at 9:30 AM. He will be taken to the appointment by his current foster parents.

[REDACTED] and [REDACTED] were returned to the family home on June 26, 1991, where they remained until August 12, 1991. Neither child exhibited fear of their mother or of their stepfather, in the DHS office, in the family home, or at Hilo Hospital. [REDACTED] and [REDACTED] readily separated from Ms. Acol and Mr. Kema and accompanied Social Worker [REDACTED] and Family Service Assistant [REDACTED] in the car. The children and their caretakers came together again at the DHS offices several hours later to exchange clothing, and the children again separated without incident.

A visit between Ms. Acol, [REDACTED], and [REDACTED] at the foster home on August 14, 1991, was reported to be positive by the foster parent.

A visit, involving the placement of Peter Jr., Mr. Kema and [REDACTED] and [REDACTED] on August 16, 1991 also appeared positive, with each child spontaneously running to greet "Uncle Peter" with a hug.

Peter Kema Jr. is about 3 1/2 months old. He is still using an apnea monitor. He was admitted to Hilo Hospital on August 11, 1991 at approximately 5:00 P.M. with injuries consistent with child abuse. He was hospitalized until August 16, 1991, when the current injuries to his left knee, hip, and femur were considered sufficiently stable for discharge, with medical follow up arranged by the foster parent with Dr. Hoon Park, MD on Monday, August 19, 1991. This infant is too young to express fear of returning home.

2. THE MAGNITUDE AND FREQUENCY OF THE HARM (WHICH INCLUDES STATED MOTIVE) AND ANY REPORTS OF REPEATED HARM AFTER INITIAL INTERVENTION BY A SOCIAL AGENCY. (#3, #4, #5)

Peter Kema Jr. was admitted to Hilo Hospital on August 11, 1991, at about 5 P.M., after being brought to the Emergency Room by Ms. Acol and Mr. Kema "because his leg was swollen". A series of x-rays ("long bone scan"), were taken of Peter Jr. on that date and revealed that:

- a. There were healed fractures of ribs 6,7, and 8 on the left lateral side. These injuries were at least 3 weeks old.
- b. There was damage to the metaphyseal area of each extremity, particularly near the hips, but also near the shoulders, knees, and elbows. These areas are adjoining the "growing tips" of the bone, and are the softest area of the bones of an infant. The damage to the bone in these areas causes cracks and chips which then calcify, leaving healed fractures of the bone and chips near the joints. This damage is caused by excessively rough handling, usually by a twisting motion on the extremity. This damage apparently varied in age from recent up to 6 or 8 weeks old.
- c. There was damage to the periosteum, especially near the hips, but also apparent in the areas noted in item "b", and on the left femur. The periosteum is the covering or "sheath" over the bone which carries the blood for the bone. When this sheath is bruised or separated from the bone, blood enters between it and the bone, and calcifies, leaving a lump or distortion of the bone. This damage is also caused by excessively rough handling, and tends to be associated with the twisting motion noted in item "b". This damage also varied in age from recent on the left femur up to 6 or 8 weeks elsewhere.
- d. The left hip was "being pushed out of it's socket". The cause could be infection, abuse, or a combination. The exact nature of this dislocation was unclear as of August 16, 1991 upon the infant's discharge, but the infant is sufficiently stable for outpatient follow up.
- e. The left knee is reported to be damaged. X-ray reportedly can not show the extent of the damage to the knee, and arthroscopy is probable to determine the extent of the damage, depending on the course of healing and medical follow up. The metatpeseal areas of the left distal femur, above and below the knee, show fractures, as described in item "b".

- f. Damage to the periosteum on the left femur and on the left tibia, which coincides with the damage to the hip and knee. As the exact nature of the damage is difficult to assess at this time, the exact mechanism likely to be the cause of the damage is equally difficult to assess. The most likely explanation at this time coincides with the other older injuries caused by excessively rough handling, probably with a twisting, pulling motion; although the explanation for the current injuries provided by each caretaker independently may provide a reasonable explanation. This is for the current injuries only.
- g. A CT scan was performed, and the report was negative. A magnetic resonance imaging test, which is capable of detecting fractures or injuries not detectable by a CT scan is being considered.

The x-rays are being reviewed by a pediatric radiologist at Kapiolani Medical Center for Women and Children, in order to better define the varying ages of the apparent fractures, as well as any apparent pattern to the injuries, and any indication of causation other than abuse.

Child Protective Services was notified, simultaneously, at Intake by Hilo Hospital and by Ms. Acol to the Family Service Assistant, on August 12, 1991, at approximately 9:00 A.M. No report was recorded to the CPS standby worker.

Social Worker [REDACTED] interviewed Mr. Kema, by himself, at Hilo Hospital at approximately 10:30 A.M., and Ms. Acol was subsequently interviewed by herself at Hilo Hospital at approximately 11:30 A.M. [REDACTED] and [REDACTED] were taken into foster custody at that time, and notice was placed in the hospital file of Peter Jr. of his release to CPS only.

The statements of Mr. Kema and of Ms. Acol coincided, though they did not appear to be identical, as in a rehearsed statement, concerning the injuries to the left leg, knee, and hip. Each stated they brought Peter Jr. to the Emergency room because his leg had been swollen and appeared sore. They reported this condition had begun on Monday, August 5, 1991, several hours after [REDACTED] jumped on "Peter boy" while he was in his car seat. [REDACTED] were in the car, in their car seats, in the parking lot of their apartment, while Mr. Kema returned to the apartment to assist Ms. Acol. They returned to a screaming Peter Jr. with [REDACTED] out of her car seat and jumping on Peter Jr. The

position of the child in the car seat, and the force from [REDACTED] jumping on the left leg may present a reasonable explanation consistent with the current injuries.

Subsequent to the [REDACTED] removal, [REDACTED] has displayed her facility at escaping from her car seat, and has been reported to play extremely rough by the foster parent. She has spontaneously apologized to the foster mother for "hurting Peter boy". Additionally, [REDACTED] has told the foster mother that [REDACTED] was jumping on Peter boy."

This information does not address the negligence of leaving [REDACTED] under 4 years of age in the parking lot, out of their parent's sight, nor does it address the remaining healed injuries. Neither parent offered an explanation, other than falling off the couch, for the remaining injuries. Falling off the couch onto a carpeted floor, from a height of about 22 inches, does not account for the twisting motion required, and the varying ages of the damages, fractured ribs, or the unlikelihood of the infant having mobility over the entire history of the injuries.

3. DATE(S) AND REASON FOR CHILD'S PLACEMENT OUT OF THE HOME, DESCRIPTION, APPROPRIATENESS, AND LOCATION OF THE PLACEMENT AND WHO HAS PLACEMENT RESPONSIBILITY. (#2)

<u>Date of Placement</u>	<u>Where Placed</u>	<u>Type of Placement</u>	<u>Reason for Placement</u>
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
5/8/91- 5/14/91	[REDACTED]	Protective Custody	Confirmed physical Abuse
5/14/91- 6/26/91	Same	Temporary Foster Custody	
6/26/91 8/12/91	Mother & boyfriend	Temporary Family Supervision (6/24/91)	Transfer to Hilo/ services reduced risk
8/12/91- present	DHS foster home	Temporary Foster Custody	Imminent & threatened harm
<u>PETER JR. :</u>			
8/11/91- 8/16/91	Hilo Hospital	Temporary Foster Custody	Physical Abuse

8/16/91- DHS foster home  
present with siblings

Temporary Foster Physical Abuse  
Custody

Peter Kema Jr. was admitted to Hilo Hospital on August 11, 1991, at about 5:00 P.M. after his parents brought him to the Emergency Room at about 1:15 P.M. He was admitted due to the injuries noted in #2 above, and he remained hospitalized until August 16, 1991. He was placed in the DHS foster home with [REDACTED] upon his release from the hospital.

[REDACTED] and [REDACTED] were taken into foster custody from Hilo Hospital after interviews with Ms. Acol and Mr. Kema concerning the injuries to Peter Jr. There were no known or apparent injuries to [REDACTED] or to [REDACTED] at this time. Complete physical examinations, including long bone scans, have been requested for [REDACTED] and [REDACTED]. Reasonable efforts to maintain these children in the family home have been made by the DHS, as is demonstrated by the service plan previously proposed by the DHS. There is no service known to the DHS which could have intervened to reduce the risk immediately, and sufficiently for [REDACTED] and [REDACTED] to remain, particularly with out the identity of the perpetrator being known.

Additionally, foster care on a short term basis was being considered prior to knowledge of the current injuries, as Ms. Acol was hospitalized for surgery on August 15, 1991. She will remain hospitalized for about one week. Her outpatient recovery from the medical procedure is expected to take 4 to 8 weeks.

The DHS is developing a plan to assist the parents to maintain their car and home on a short term basis, 3 months or so. Some financial assistance is being assessed for specific items in order to reduce the stress, and to assure there is a family available for reunification if that is appropriate.

The DHS licensed foster home is considered most appropriate for [REDACTED], [REDACTED] and Peter Jr. because [REDACTED] can be placed together, the home is in the Hilo area, is convenient for visits, is willing to provide frequent visits for the infant, and has arranged a visit for Sunday, August 18, 1991, at the hospital with mother. The foster home is also willing to work directly with the parents under some conditions, is also reasonably neutral concerning the appropriate placement of the children, is willing and able to accept a child with an apnea monitor, and maintains the cultural and ethnic environment familiar to the children.

4. THE RESULTS OF PSYCHIATRIC/PSYCHOLOGICAL/DEVELOPMENTAL EVALUATIONS OF THE CHILD, THE ALLEGED PERPETRATOR AND OTHER APPROPRIATE FAMILY MEMBERS WHO ARE PARTIES. (#7)



Psychological evaluations for Ms. Jaylin Acol, mother, and for Peter Kema Sr., father of Peter Jr., were arranged for August 15, 1991, at 12:30 PM and 2:30 PM respectively, in the Hilo DHS office, with Dr. John Wingert, PhD. These evaluations were canceled by the DHS due to scheduling conflicts with Dr. Wingert. The next available dates for Dr. Wingert are in October of 1991, so evaluations will be sought by an alternative, qualified psychologist as soon as possible.

Additionally, counselling has been arranged by the parents with Dr. Kit Barthel, PhD. and Ms. Acol and Mr. Kema has seen him on 3 occasions as of 8/15/91.

5. WHETHER THERE IS A HISTORY OF ABUSIVE OR ASSAULTIVE CONDUCT BY THE CHILD'S FAMILY OR OTHERS WHO HAVE ACCESS TO THE CHILD'S FAMILY HOME . (#8)

Please refer to prior reports.

6. WHETHER THERE IS A HISTORY OF SUBSTANCE ABUSE BY THE CHILD'S FAMILY OR OTHERS WHO HAVE ACCESS TO THE CHILD'S FAMILY HOME. (#9)

Please refer to prior reports.

7. IDENTIFICATION OF ALLEGED PERPETRATOR(S) AND WHETHER THERE HAS BEEN AN ACKNOWLEDGEMENT AND/OR APOLOGY FOR THE HARM. (#11, #12, #13)

Concerning [REDACTED] and [REDACTED], Mr. Peter Kema, Sr., was identified as the perpetrator of harm by the investigating social worker. Mr. Kema denies harming the children, and thus, there is no known apology. The history of events leading to the observation of the injuries to [REDACTED], and the statements of [REDACTED], do appear to leave some reason for questioning as to how the injuries occurred.

Ms. Acol had returned home from the hospital, for about 24 hours, prior to the children leaving their home with Mr. Kema's sister. She was allowed to take the children with her to Kona as Mr. Kema and Ms. Acol were set to go to Kapiolani Hospital with Peter Jr. This trip was canceled due to difficulties with [REDACTED] who were authorizing Ms. Acol's transportation costs. [REDACTED] and [REDACTED] were in the care of [REDACTED] for approximately 24 hours. They were then put in the care of [REDACTED], by the [REDACTED]. They remained in the care of [REDACTED] for 24 to 48 hours prior to observation of bruises by the CPS investigator. The report to CPS concerning these children was made subsequent to a report by Ms. Acol requesting police assistance to regain custody of [REDACTED] children from [REDACTED].

Concerning the current injuries to Peter Kema Jr., both Mr. Kema and Ms. Acol, have denied causing the injuries. There are no other adult caretakers for Peter Jr., and the injuries require force considerably beyond what would customarily be exerted during routine care and handling. The likelihood that the injuries were caused by the siblings is exceptionally small.

Due to the behavior of Ms. Acol observed by the DHS, and described by others, the DHS is specifically requesting evaluation of post partum depression symptoms for Ms. Acol as a partial explanation for the ongoing injuries.

8. WHETHER THE ALLEGED PERPETRATOR(S) HAS BEEN REMOVED (EITHER BY COURT ORDER OR VOLUNTARILY) FROM THE FAMILY HOME AND HAS REMAINED OUT OF THE FAMILY HOME. (#15)

██████████ and ██████████ were returned to the family home on 6/26/91. Peter Jr. entered the family home on 5/17/91. The children remained in the family home, under temporary family supervision, until 8/12/91, when ██████████ and ██████████ were placed in temporary foster custody. On 8/16/91 Peter Jr. was released from the hospital and placed in temporary foster custody.

9. WHETHER THE NONPERPETRATOR(S) WHO RESIDE IN THE CHILD'S FAMILY HOME ARE WILLING AND ABLE TO PROTECT THE CHILD. (#10)

The injuries to ██████████ allegedly occurred while the mother, Ms. Acol, was out of the home in the hospital although review of the history of events reveals Ms. Acol was back in the family home for approximately 24 hours with access to ██████████, and the children were out of Ms. Acol and Mr. Kema's care for 48 to 72 hours prior to observation of the injuries.

The current injuries occurred while both parents were in the home, and both parents had access to the child. No other adult caretaker is reported for the victim child.

10. SUPPORT SYSTEM OF EXTENDED FAMILY AND/OR FRIENDS AVAILABLE TO THE CHILD'S FAMILY. (#26)

Please refer to prior reports. If possible, Mr. Kema and Ms. Acol are more estranged from their respective families as of this writing than they were when the children were removed from Ms. Acol and placed with ██████████ May of 1991.

11. THE WILLINGNESS AND ABILITY OF THE CHILD'S FAMILY TO SEEK OUT AND COOPERATE WITH THE SERVICES RECOMMENDED/COURT-ORDERED TO PROVIDE A SAFE HOME INCLUDING DEMONSTRATING APPROPRIATE PARENTING SKILLS, OVERCOMING OBSTACLES TO GETTING SERVICES AND MAINTAINING CONTACT WITH COMPETENT PERSONS WHO CAN RECOGNIZE AND REPORT PROBLEMS. (#16, #18C, #18D, #23, #24, #25, #27)

Services were offered as outlined in the Service Plan dated June 27, 1991.

MIST program staff reported setting visits with the family, but had them canceled at the last minute by Ms. Acol.

The Family Service Assistant reported a similar pattern.

The parents arranged parenting education type services through Queen Liliuokalani Children's Center rather than Family Support Services, which is acceptable to the DHS.

The family did meet with DHS Social Worker [REDACTED] and with QLCC Social Worker Betty Galloway on several occasions.

The family did arrange and maintain visits with Dr. Barthel.

Ms. Acol contacted DHS, either the Social Worker or the Family Service Assistant, 3 or 4 times each week.

Mr. Kema and Ms. Acol bought another vehicle when their's suddenly quit working. This is a significant effort to "overcome obstacles" considering the extremely limited income, and marginal credit available to the family.

12. THE WILLINGNESS AND ABILITY OF THE CHILD'S FAMILY TO RESOLVE SAFETY ISSUES WITHIN THE FAMILY HOME THROUGH EFFECTING POSITIVE ENVIRONMENTAL AND PERSONAL CHANGES WITHIN A REASONABLE PERIOD OF TIME. (#17, #22)

While the family has been willing to work with the social workers, and arranged some services, they have also appeared somewhat elusive about working with other service providers. The current injuries to Peter Jr. indicates the safety issues within the home have not been addressed. The apparent pattern of lethargy, or elusiveness in terms of maintaining visits to the home, specifically those that address diet, activity, interaction, etc., can be viewed as symptomatic of depression, or of resistance, or of deliberate concealment.

13. THE CARETAKER'S DEMONSTRATED ABILITY TO UNDERSTAND THE CHILD'S EMOTIONAL AND PHYSICAL NEEDS, PERCEPTION OF THE CHILD AND PSYCHOLOGICAL ATTACHMENT. (#19, #20, #21)

No immediate concerns for the safety of [REDACTED] were apparent during observations of the care for each of the [REDACTED] prior or subsequent to the current report. The interaction between the parents and [REDACTED] appeared appropriate, and fairly typical of a young family.

Mr. Kema provided almost 100% of the care (feeding, diapering, cleaning, cuddling, monitoring) for Peter Jr. during each meeting with the DHS social worker, and per the report of the QLCC social worker. The care and handling appeared appropriate, and Mr. Kema's "involvement" was not considered unusual. In review, this level of care from one caretaker may be indicative of difficulty with care for the other caretaker.

14. ASSESSMENT (TO INCLUDE CHILD'S FAMILY DEMONSTRATED ABILITY TO PROVIDE A SAFE HOME FOR THE CHILD) AND RECOMMENDATION.

The current injuries to Peter Jr. require a reassessment of the family's ability to provide a safe home, with or without a service plan. The perpetrator of the harm, and the motive for the harm appear at this point to be essential concerns to address. The observed and reported care for these children appears to be diametrically opposed to the picture presented by the extent and nature of the injuries to Peter Jr. The efforts toward reunification of this family will likely require a significant level of oversight, review and recommendation by all the providers and parties.

RECOMMENDATION:

As Ms. Jaylin Acol, mother [REDACTED], and Mr. Peter Kema Sr., father of Peter Kema Jr., do not appear to be able to provide these children with a safe family home with the assistance of a Service Plan, we respectfully recommend:

1. That the Family Court take jurisdiction of the [REDACTED]
2. That Foster Custody of [REDACTED], [REDACTED], and of Peter Kema Jr. be awarded to the DHS;
3. That the Service Plan dated August 17, 1991, be ordered;

4. That the court find that the DHS has made reasonable efforts to maintain [REDACTED] in the family home, and to avoid their removal from the home; and
5. That [REDACTED] remaining in the family home would be contrary to the [REDACTED] best interest;
6. That the DHS is making reasonable efforts to safely reunite these children with their family;
7. That a hearing to review the Service Plan be set no later than six (6) months from the date of this hearing.

DATED: Hilo, Hawaii August, 17 1991 .

Respectfully submitted,

[REDACTED]  
[REDACTED] CW IV  
Petitioner

STATE OF HAWAII  
DEPARTMENT OF HUMAN SERVICES  
Family and Adult Services Division

SERVICE PLAN AND AGREEMENT

Date: August 17, 1991

Child's name: [REDACTED] DOB: [REDACTED] FC-S No.: [REDACTED]  
[REDACTED] [REDACTED]  
Kema, Peter Jr. 05/01/91 91-48

This Service Plan and Agreement is between Ms. Jaylin Acol, mother, Mr. Peter Kema Sr., father of Peter Kema Jr., and the Department of Human Services.

I. REASON FOR AGENCY INVOLVEMENT:

On May 8, 1991, a report of physical abuse to [REDACTED] and [REDACTED] was received by Child Protective Services in Kona. Subsequent investigation confirmed physical abuse to the children, and identified Ms. Acol's paramour and the father of Peter Kema Jr., as the perpetrator of harm to [REDACTED] and [REDACTED]. The physical abuse appeared to be "over discipline" which occurred while mother, Jaylin Acol, was hospitalized with the birth of her third child, Peter Jr.

[REDACTED] and [REDACTED] were placed out of the family home on May 8, 1991, and subsequently returned on June 26, 1991. Continuing assessment of the family's needs indicates significant stress on a young, relatively inexperienced family, which continues a threat of harm to the children.

On August 11, 1991, Peter Kema Jr. was admitted to Hilo Hospital with multiple fractures of varying ages. The explanations offered by Ms. Acol and Mr. Kema did not satisfactorily explain the injuries.

This Service Plan and Agreement is intended to reduce the family stress and the risk of harm to the children, and work toward reunification of the children with the family. Justification for the services addressed in this plan are

contained in the Safe Home Guidelines dated May 14, 1991, June 26, 1991, and August 17, 1991.

II. GOAL:

The primary goal is to reunite the children in a safe family home.

The secondary goal is to provide the children with a safe, stable nurturing home.

III. OBJECTIVES:

TO LEARN AND DEMONSTRATE ADEQUATE PARENTING/CHILD MANAGEMENT SKILLS

TO LEARN AND DEMONSTRATE APPROPRIATE INTERPERSONAL/RELATIONSHIP SKILLS

TO MAINTAIN AN ENVIRONMENT FREE OF SUBSTANCE ABUSE

TO LEARN AND DEMONSTRATE AN ADEQUATE UNDERSTANDING OF THE CHILDREN'S NEEDS

TO IMPROVE AND DEMONSTRATE ADEQUATE SELF ESTEEM, INDEPENDENCE AND COPING SKILLS

IV. SPECIFIC STEPS TO ACHIEVE OBJECTIVES/RESPONSIBILITIES OF THE PARTIES:

A. Ms. Jaylin Acol, and Mr. Peter Kema Sr. will:

1. Participate in a parenting education (nurturing) program, and in other services supportive of the program, with Queen Liliuokalani Children's Center:
  - a. Services will be arranged through Social Worker Letty Galloway of QLCC; child care is an integral part of the program. The children will participate in the program with Ms. Acol and Mr. Kema.
  - b. Attend and participate in the nurturing program until formally discharged by QLCC, or by order of the court.

- c. Provide the DHS with written verification of attendance at the nurturing program, as requested by the DHS.
  - d. Demonstrate to the satisfaction of the DHS, QLCC Social Worker, and the GAL an adequate use of the skills and concepts developed in the program.
2. **Participate with a DHS Family Service Assistant in the family home:**
- a. At least once each week, and at least 2 hours each time.
  - b. With or without the children, as arranged by the FSA.
  - c. To address child management skills such as: setting and maintaining a routine schedule, budgeting, food preparation/menu planning, assigning children's responsibilities according to ability, limit setting, appropriate discipline, consistency in discipline, arranging special time for children, and arranging respite time for parent, etc.
  - d. Not missing any scheduled appointment with the FSA without prior approval of the FSA.
  - e. Demonstrate to the satisfaction of the DHS and the GAL an adequate use of the skills developed with the FSA.
3. **Participate in visits with [REDACTED]:**
- a. At the discretion of the DHS in consultation with the Guardian ad Litem.
  - b. Visits will occur in the least restrictive environment consistent with the children's safety.
  - c. Restrictiveness of visits may be increased or decreased, including suspension, based on the positive or negative interaction of the parent(s).
  - d. Visits, and any other contact, will occur only with the express permission of the DHS, in consultation with the GAL.
  - e. Visits with [REDACTED] will be arranged as frequently as possible, with the assistance of the foster parent, and will take



place in, or near, the foster home; so long as Ms. Acol and Mr. Kema's behavior permits.

- f. The DHS will assure the children are available for participation in the QLCC nurturing program, as directed by QLCC Social Worker.
4. **Participate in a psychological evaluation:**
    - a. With a Psychologist to be identified by the DHS.
    - b. At the time and location identified by the evaluating psychologist.
    - c. Notify Social Worker [REDACTED], or [REDACTED] office, at [REDACTED] at least 48 hours in advance if you must reschedule this appointment.
    - d. If you do not keep this appointment, and do not inform the DHS of your nonattendance far enough in advance to reschedule, you will be responsible for payment for the psychologist's fee: \$185.00 for each evaluation.
  5. **Participate in counselling with Dr. Kit Barthel, PhD.:**
    - a. Attend and participate in counselling as arranged by therapist.
    - b. Not miss any sessions without express approval of the therapist.
    - c. Recommended focus of treatment to include:
      1. Joint decision making skills;
      2. Learning to respect each other's views and positions;
      3. Active listening;
      4. Agreed upon parenting/child management techniques and limits;
      5. Treatment of biological vs. step children;
      6. Trust, jealousy;
      7. Possibility of symptoms of post partum depression for Ms. Acol.

8. Other areas as assessed by therapist and agreed to by DHS and the GAL.
  - d. Continue in treatment until clinically discharged, or by order of the court.
  - e. Provide the DHS with written verification of attendance and participation in counselling, as requested by the DHS.
  - f. Demonstrate to the satisfaction of the DHS, the therapist, and the GAL an adequate understanding and utilization of the skills developed in counselling.
6. **Maintain an environment free from substance abuse.**
    - a. Agree to random urinalysis if requested by both the DHS and the GAL, based on behavioral observations and/or sufficient collateral information to suspect substance abuse may be impairing the parent(s) ability to provide a safe environment for the children.
  7. **Not use any physical discipline with the children.**
  8. **Maintain regular contact with the DHS to discuss problems and progress with this service plan.**
    - a. Contact the assigned DHS social worker at least once per week, by phone or in person.
    - b. Advise the DHS social worker of any major changes, such as address, phone number, who lives in the home, medical problems, arrests, etc. within 48 hours of their occurrence.
  9. **Allow the DHS access to such medical, psychiatric, and psychological information as is considered necessary to arrange appropriate services, and as ordered by the court.**
- B. Mr. Peter Kema Sr. will:
1. Attend a minimum of 4 meetings of Alcoholics Anonymous:
    - a. Call Alcoholics Anonymous Hotline at 961-0631 to arrange attendance.
    - b. Provide statement of attendance to the DHS social worker for each meeting including the date, time,

place, and signature of witness verifying attendance.

C. The DHS will:

1. Ensure child care is available to allow participation in services, as necessary.
2. Monitor problems and progress with this service plan by maintaining contact, verbal, written, or face to face, with the service providers.
3. Maintain regular contact with family members through visits, phone calls, and collateral contacts.
4. Arrange other services as necessary, in consultation with the GAL.
5. Assess the effectiveness and utilization of services provided.
6. Maintain regular contact with the children and the foster parent to assure appropriate care for the children, and appropriate support for the foster parent.

V. SPECIFIC STEPS TO ACHIEVE OBJECTIVES/RESPONSIBILITIES OF THE FOSTER PARENTS/CARETAKERS:

Maintain confidentiality with regards to the [REDACTED] family and the abuse [REDACTED] suffered.

Continue to transport [REDACTED], [REDACTED], and Peter Jr. to and from the doctor's office for routine and recommended therapy or examinations.

Encourage [REDACTED] and [REDACTED] to communicate with their father and grandparents by visiting, writing, phone calls, pictures, etc. as approved by the DHS social worker in consultation with the GAL.

Continue to establish clear rules for [REDACTED] and [REDACTED] and follow up with fair, consistent positive and negative consequences.

Continue to keep the Social Worker informed of any changes and new developments in the children's situation.

Provide and monitor visits, as approved by the DHS and the GAL, so far as you are able; so long as this does not present a danger to the children or your family.

Continue to provide positive role modeling.

Maintain a neutral and fair attitude with respect to the issue of reunification or permanency planning.

VI. ANCILLARY RESOURCES:

1. Dr. Kit Barthel, PhD.
  - a. Provide ongoing couples, individual, and/or family therapy as outlined above.
  - b. Provide reports, written and/or verbal, concerning the progress and participation of the parties, as requested by the DHS.
2. Queen Liliuokalani Children's Center.
  - a. Provide parenting education through the nurturing program, and other services in support of the program, as appropriate, for Ms. Acol and Mr. Kema.
  - b. Provide reports, written and/or verbal, concerning the progress and participation of the parties, as requested by the DHS.
3. DHS, Family Services Assistant.
  - a. Provide ongoing "hands-on" education and training for child and household management as outlined above.
  - b. Provide reports, written and/or verbal, concerning the progress and participation of the parties, as requested by the DHS social worker.

VII. CONSEQUENCES:

1. YOUR PARENTAL AND CUSTODIAL DUTIES AND RIGHTS CONCERNING THE CHILD OR CHILDREN WHO ARE SUBJECT OF THIS SERVICE PLAN MAY BE TERMINATED BY AN AWARD OF PERMANENT CUSTODY IF YOU FAIL TO COMPLY WITH THE TERMS AND CONDITIONS OF THIS SERVICE PLAN.
2. If Ms. Jaylin Acol and Mr. Peter Kema Sr. substantially comply with their responsibilities to provide [REDACTED], [REDACTED], and Peter Kema Jr. with a safe family home as are set forth in this service plan, the DHS will consider recommending a revised Service Plan addressing the reunification of the children in the home, or the



CERTIFICATE OF SERVICE

I hereby certify that on August 19, 1991, a copy of the foregoing was duly served upon the following parties by the method indicated below.

	<u>By:</u> <u>U.S. Mail</u>	<u>By:</u> <u>Hand-Delivery/ Court Jacket</u>
Edith Radl Guardian Ad Litem		X
Tim DeSilva Attorney for Mother		X
Jaylin Acol Mother		X
Celia Urion Attorney for [REDACTED]		X
[REDACTED] Father of [REDACTED] children		X
Tim DeSilva Attorney for Peter Kema, Sr.		X
Peter Kema, Sr. Father of Peter Kema Jr.		X

[REDACTED]  
[REDACTED]  
EH-Child Welfare Services II

In the Interest of [REDACTED] and [REDACTED]; FC-S No. [REDACTED] and  
Peter Kema, Jr.; FC-S No. 91-48

Supplemental Report-Safe Home Guidelines Dated August 19, 1991.

drc

COPY

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Attorneys for the Department  
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THIRD CIRCUIT COURT OF APPEALS  
STATE OF HAWAII

1991 SEP -3 P 3:02

JOYCE M. ...  
CLERK

IN THE FAMILY COURT OF THE THIRD CIRCUIT

STATE OF HAWAII

In the Interest of

FC-S NOS. [REDACTED]  
91-48

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

ORDER RE: CHAPTER 587, H.R.S.,  
AS AMENDED

[ ] EXHIBIT "A"

PETER KEMA, JR.  
Born on May 1, 1991

Children under the age of  
eighteen years.

HEARING: September 3, 1991

HONORABLE BEN H. GADDIS

ORDER RE: CHAPTER 587, H.R.S., AS AMENDED

The following parties and/or individuals were present:

- [x] JAYLIN KEMA, Mother;
- [x] PETER KEMA, SR., Father of Kema Child;
- [x] TIM DESILVA, Counsel for Mother and Mr. Kema;
- [x] [REDACTED], Father of [REDACTED] Children;
- [x] CELIA URION, Counsel for [REDACTED];
- [x] EDITH RADL, Guardian Ad Litem;
- [x] [REDACTED], DHS Social Worker;
- [x] ALEY K. AUNA, JR., Deputy Attorney General;
- [x] PETER KUBOTA, Attorney for the [REDACTED];
- [x] [REDACTED], [REDACTED];
- [ ] \_\_\_\_\_;
- [ ] \_\_\_\_\_;
- [ ] \_\_\_\_\_;

I hereby certify that this is a full, true and correct  
copy of the original on file in this office.

*[Signature]*  
Clerk, Third Circuit Court, State of Hawaii

Based upon the records and/or evidence presented and having fully considered all relevant prior and current information pertaining to the guidelines for determining whether the children's family is willing and able to provide the children with a safe family home, the Court finds that:

— There is reasonable cause to believe that continued placement in temporary foster custody is necessary to protect the children from imminent harm;

A Continuation in the family home would be contrary to the immediate welfare and best interests of the children;

B Under the circumstances that were presented by this case, reasonable efforts were made by DHS prior to the placement of the children out of the family home to prevent or eliminate the need for removal of the children from the family home;

C Under the circumstances that were presented by this case, reasonable efforts are being made or have been made by DHS to make it possible for the children to return to the family home;

D Pursuant to §587-63(a), H.R.S., as amended, there is an adequate basis (State's Exhibits in evidence) to sustain the petition in that the children are children whose physical or psychological health or welfare has been harmed or is subject to threatened harm by the acts or omissions of the children's family;

E ~~██████████~~ family is not presently willing and able to provide the children with a safe family home, even with the assistance of a service plan;

— Each term, condition, and consequence of the Service Plan and Agreement dated August 17, 1991 (as amended) and attached as Exhibit "A" has been thoroughly explained to and is understood by each party;

F Each party understands that unless the family is willing and able to provide the children with a safe family home, even with the assistance of a service plan, within the reasonable period of time specified in the service plan, their respective parental and custodial duties and rights shall be subject to termination;

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_;



Based upon the foregoing considerations and findings, and good cause appearing therefor;

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

1 The ~~above named children~~ and parties come under the exclusive jurisdiction of the Family Court pursuant to §§571-11(9) and 587-11, H.R.S., as amended;

2 DHS is awarded foster custody of ~~the children~~

3 All currently existent orders consistent herewith shall continue in full force and effect until further order of the Court;

— DHS shall file a written report at least fifteen (15) days prior to the next hearing;

— GAL shall visit the children's family home, conduct other appropriate investigation, and file a written report at least fifteen (15) days prior to the next hearing;

— Each term, condition, and consequence of the Service Plan and Agreement dated August 17, 1991 (as amended) is hereby ordered by the Court and a copy is annexed hereto as Exhibit "A" and incorporated herein and made a part of this Order;

4 All parties shall appear at a service plan hearing, which will be held on September 17, 1991, at 1:00 p.m., before the Honorable Ben H. Gaddis;

5 The following exhibits are admitted into evidence, subject to cross-examination thereon:

State's 1 DHS Supplemental Report-Safe Home Guidelines with attachments filed July 6, 1991, prepared by ~~the undersigned~~, Social Worker;

State's 2 DHS Supplemental Report-Safe Home Guidelines with attachments filed August 19, 1991, prepared by ~~the undersigned~~, Social Worker;

State's 3 First Report of the Guardian Ad Litem dated August 12, 1991;

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

DATED: Hilo, Hawaii, SEP - 3 1991

*E. H. [Signature]*  
JUDGE OF THE ABOVE-ENTITLED COURT



APPROVED AS TO FORM AND CONTENT:

*[Signature]*  
*[Signature]*

*Edith Kawai Padd*  
*Ken K. Kubota*

In the Interest of the [redacted] and Kema Children;  
FC-S Nos. [redacted] and 91-48  
ORDER RE: CHAPTER 587, H.R.S., AS AMENDED

COPY

WARREN PRICE III 1212  
Attorney General  
State of Hawaii

THIRD CIRCUIT COURT  
STATE OF HAWAII  
1991 SEP -3 P 3:03  
JULIAN LIA OPA  
CLERK

ALEY K. AUNA, JR. 3391  
Deputy Attorney General  
Suite 1014-D, Hilo Lagoon Centre  
101 Aupuni Street  
Hilo, Hawaii 96720  
Telephone: 933-4786

Attorneys for the Department  
of Human Services

IN THE FAMILY COURT OF THE THIRD CIRCUIT

STATE OF HAWAII

In the Interest of

[REDACTED]  
[REDACTED]  
[REDACTED]

PETER KEMA, JR.  
Born on May 1, 1991

Children under the age of  
eighteen years.

) FC-S NOS. [REDACTED]  
) 91-48

) ORDER RE: CHAPTER 587, H.R.S.,  
) AS AMENDED

) [ ] EXHIBIT "A"

) HEARING: September 3, 1991

) HONORABLE BEN H. GADDIS

ORDER RE: CHAPTER 587, H.R.S., AS AMENDED

The following parties and/or individuals were present:

- [x] JAYLIN KEMA, Mother;
- [+ ] PETER KEMA, SR., Father of Kema Child;
- [+ ] TIM DESILVA, Counsel for Mother and Mr. Kema;
- [+ ] [REDACTED], Father of [REDACTED] Children;
- [x] CELIA URION, Counsel for [REDACTED];
- [+ ] EDITH RADL, Guardian Ad Litem;
- [+ ] [REDACTED], DHS Social Worker;
- [+ ] ALEY K. AUNA, JR., Deputy Attorney General;
- [x] PETER KUBOTA, Attorney for the [REDACTED];
- [x] [REDACTED], [REDACTED];
- [ ] \_\_\_\_\_;
- [ ] \_\_\_\_\_;
- [ ] \_\_\_\_\_;

I hereby certify that this is a full, true and correct  
copy of the original on file in this office.

*[Handwritten Signature]*

Based upon the records and/or evidence presented and having fully considered all relevant prior and current information pertaining to the guidelines for determining whether the children's family is willing and able to provide the children with a safe family home, the Court finds that:

— There is reasonable cause to believe that continued placement in temporary foster custody is necessary to protect the children from imminent harm;

A Continuation in the family home would be contrary to the immediate welfare and best interests of the children;

B Under the circumstances that were presented by this case, reasonable efforts were made by DHS prior to the placement of the children out of the family home to prevent or eliminate the need for removal of the children from the family home;

C Under the circumstances that were presented by this case, reasonable efforts are being made or have been made by DHS to make it possible for the children to return to the family home;

D Pursuant to §587-63(a), H.R.S., as amended, there is an adequate basis (State's Exhibits in evidence) to sustain the petition in that the children are children whose physical or psychological health or welfare has been harmed or is subject to threatened harm by the acts or omissions of the children's family;

E The children's family is not presently willing and able to provide the children with a safe family home, even with the assistance of a service plan;

— Each term, condition, and consequence of the Service Plan and Agreement dated August 17, 1991 (as amended) and attached as Exhibit "A" has been thoroughly explained to and is understood by each party;

F Each party understands that unless the family is willing and able to provide the children with a safe family home, even with the assistance of a service plan, within the reasonable period of time specified in the service plan, their respective parental and custodial duties and rights shall be subject to termination;

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_;

Based upon the foregoing considerations and findings, and good cause appearing therefor;

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

1 The [REDACTED] and parties come under the exclusive jurisdiction of the Family Court pursuant to §§571-11(9) and 587-11, H.R.S., as amended;

2 DHS is awarded foster custody of t[REDACTED];

3 All currently existent orders consistent herewith shall continue in full force and effect until further order of the Court;

— DHS shall file a written report at least fifteen (15) days prior to the next hearing;

— GAL shall visit the children's family home, conduct other appropriate investigation, and file a written report at least fifteen (15) days prior to the next hearing;

— Each term, condition, and consequence of the Service Plan and Agreement dated August 17, 1991 (as amended) is hereby ordered by the Court and a copy is annexed hereto as Exhibit "A" and incorporated herein and made a part of this Order;

4 All parties shall appear at a Service plan hearing, which will be held on September 17, 1991, at 1:00 p.m., before the Honorable Ben H. Gaddis;

5 The following exhibits are admitted into evidence, subject to cross-examination thereon:

State's 1 DHS Supplemental Report-Safe Home Guidelines with attachments filed July 6, 1991, prepared by [REDACTED], Social Worker;

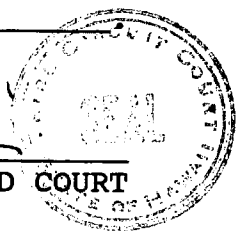
State's 2 DHS Supplemental Report-Safe Home Guidelines with attachments filed August 19, 1991, prepared by [REDACTED], Social Worker;

State's 3 First Report of the Guardian Ad Litem dated August 12, 1991;

\_\_\_\_\_  
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\_\_\_\_\_  
\_\_\_\_\_

DATED: Hilo, Hawaii, SEP -3 1991

*B. H. [Signature]*  
JUDGE OF THE ABOVE-ENTITLED COURT



APPROVED AS TO FORM AND CONTENT:

*[Signature]*  
*[Signature]*

*Edith Kawai Radd*  
*Ben K. Kubota*

In the Interest of the [redacted] and Kema Children;  
FC-S Nos. [redacted] and 91-48  
ORDER RE: CHAPTER 587, H.R.S., AS AMENDED

[REDACTED], Social Worker  
Department of Human Services  
State of Hawaii  
75 Aupuni Street  
Hilo, Hawaii 96720  
Telephone: [REDACTED]

THIRD JUDGE COURT  
STATE OF HAWAII  
FBI 87-9-15-001  
STATE OF HAWAII  
CLERK

Petitioner

A Confidential Report of the  
Department of Human Services

IN THE FAMILY COURT OF THE THIRD CIRCUIT

STATE OF HAWAII

In the Interest of )  
[REDACTED] )  
[REDACTED] )  
[REDACTED] )  
[REDACTED] )  
PETER KEMA, JR. )  
Born on May 01, 1991 )  
A child under the age )  
of eighteen years. )

FC-S No. [REDACTED]  
(Hilo) 91-48  
  
SUPPLEMENTAL REPORT-SAFE  
HOME GUIDELINES (HRS587-40);  
EXHIBIT "A"; CERTIFICATE OF  
SERVICE  
  
JUDGE: BEN H. GADDIS  
HEARING: SEPTEMBER 17, 1991  
TIME: 1:00 P.M.

SUPPLEMENTAL REPORT-SAFE HOME GUIDELINES (HRS 587-40)

The Department of Human Services (DHS) hereby submits the revised Service Plan and Agreement dated September 7, 1991, attached hereto as Exhibit "A".

DATED: Hilo, Hawaii, September 8, 1991 .

Respectfully submitted,  
  
[REDACTED]  
[REDACTED] Social Worker  
Petitioner

STATE OF HAWAII  
DEPARTMENT OF HUMAN SERVICES  
Family and Adult Services Division

REVISED SERVICE PLAN AND AGREEMENT

Date: September 7, 1991

Child's name: [REDACTED] DOB: [REDACTED] FC-S No.: [REDACTED]  
[REDACTED] [REDACTED]  
Peter Kema, Jr. 05/01/91 91-48

This Service Plan and Agreement is between Ms. Jaylin Acol, mother, Mr. Peter Kema, Sr., father of Peter Kema, Jr., and the Department of Human Services.

I. REASON FOR AGENCY INVOLVEMENT:

On May 8, 1991, a report of physical abuse to [REDACTED] and [REDACTED] was received by Child Protective Services in Kona. Subsequent investigation confirmed physical abuse to the children, and identified Ms. Acol's paramour and the father of Peter Kema, Jr., as the perpetrator of harm to [REDACTED] and [REDACTED]. The physical abuse appeared to be "over discipline" which occurred while mother, Jaylin Acol, was hospitalized with the birth of her third child, Peter Jr.

[REDACTED] and [REDACTED] were placed out of the family home on May 8, 1991, and subsequently returned on June 26, 1991. Continuing assessment of the family's needs indicates significant stress on a young, relatively inexperienced family, which continues a threat of harm to the children.

On August 11, 1991, Peter Kema Jr. was admitted to Hilo Hospital with multiple fractures of varying ages. The explanations offered by Ms. Acol and Mr. Kema did not satisfactorily explain the injuries.

This Service Plan and Agreement is intended to reduce the family stress and the risk of harm to the children, and work toward reunification of the children with the family. Justification for the services addressed in this plan are

EXHIBIT A



contained in the Safe Home Guidelines dated May 14, 1991, June 26, 1991, and August 17, 1991.

II. GOAL:

The primary goal is to reunite the children in a safe family home.

The secondary goal is to provide the children with a safe, stable nurturing home.

The immediate goal is to maintain the parents' financial stability, to maintain a home for reunification efforts.

III. OBJECTIVES:

TO GAIN EMPLOYMENT SUFFICIENT TO MAINTAIN HOUSING AND TRANSPORTATION

TO LEARN AND DEMONSTRATE ADEQUATE PARENTING/CHILD MANAGEMENT SKILLS

TO LEARN AND DEMONSTRATE APPROPRIATE INTERPERSONAL/RELATIONSHIP SKILLS

TO MAINTAIN AN ENVIRONMENT FREE OF SUBSTANCE ABUSE

TO LEARN AND DEMONSTRATE AN ADEQUATE UNDERSTANDING OF THE CHILDREN'S NEEDS

TO IMPROVE AND DEMONSTRATE ADEQUATE SELF ESTEEM, INDEPENDENCE AND COPING SKILLS

IV. SPECIFIC STEPS TO ACHIEVE OBJECTIVES/RESPONSIBILITIES OF THE PARTIES:

A. Ms. Jaylin Acol, and Mr. Peter Kema Sr. will:

1. Participate in a parenting education (nurturing) program, and in other services supportive of the program, with Queen Liliuokalani Children's Center (QLCC):

a. Services will be arranged through Social Worker Letty Galloway of QLCC; child care is an integral part of the program. The children

will participate in the program with Ms. Acol and Mr. Kema.

- b. Attend and participate in the nurturing program until formally discharged by QLCC, or by order of the court.
  - c. Provide the DHS with written verification of attendance at the nurturing program, as requested by the DHS.
  - d. Demonstrate to the satisfaction of the DHS, QLCC Social Worker, and the GAL an adequate use of the skills and concepts developed in the program.
2. **Participate with a DHS Family Service Assistant in the family home:**
- a. To address immediate financial needs, and specific payees for financial stability purposes.
  - b. When/if children return to the home, to address child management skills such as: setting and maintaining a routine schedule, budgeting, food preparation/menu planning, assigning children's responsibilities according to ability, limit setting, appropriate discipline, consistency in discipline, arranging special time for children, and arranging respite time for parent, etc.
  - c. Not missing any scheduled appointment with the FSA without prior approval of the FSA.
  - e. Demonstrate to the satisfaction of the DHS and the GAL an adequate use of the skills developed with the FSA.
3. **Participate in visits with the children:**
- a. At the discretion of the DHS in consultation with the Guardian ad Litem.
  - b. Visits will occur in the least restrictive environment consistent with the children's safety.
  - c. Restrictiveness of visits may be increased or decreased, including suspension, based on the

positive or negative interaction of the parent(s).

- d. Visits, and any other contact, will occur only with the express permission of the DHS, in consultation with the GAL.
- e. Visits with [REDACTED] will be arranged as frequently as possible, with the assistance of the foster parent, and will take place in, or near, the foster home, so long as Ms. Acol and Mr. Kema's behavior permits.
- f. The DHS will assure the children are available for participation in the QLCC nurturing program, as directed by QLCC Social Worker.

**4. Participate in a psychological evaluation:**

- a. With a Psychologist to be identified by the DHS.
- b. At the time and location identified by the evaluating psychologist.
- c. Notify Social Worker [REDACTED], or [REDACTED] office, at [REDACTED] at least 48 hours in advance if you must reschedule this appointment.
- d. If you do not keep this appointment, and do not inform the DHS of your non-attendance far enough in advance to reschedule, you will be responsible for payment for the psychologist's fee: \$185.00 for each evaluation.

**5. Participate in counselling with Dr. Kit Barthel, PhD.:**

- a. Attend and participate in counselling as arranged by therapist.
- b. Not miss any sessions without express approval of the therapist.
- c. Recommended focus of treatment to include:
  - 1. Joint decision making skills;
  - 2. Learning to respect each other's views and positions;

3. Active listening;
  4. Agreed upon parenting/child management techniques and limits;
  5. Treatment of biological vs. step children;
  6. Trust, jealousy;
  7. Possibility of symptoms of post partum depression for Ms. Acol.
  8. Other areas as assessed by therapist and agreed to by DHS and the GAL.
- d. Continue in treatment until clinically discharged, or by order of the court.
  - e. Provide the DHS with written verification of attendance and participation in counselling, as requested by the DHS.
  - f. Demonstrate to the satisfaction of the DHS, the therapist, and the GAL an adequate understanding and utilization of the skills developed in counselling.
6. **Maintain an environment free from substance abuse.**
    - a. Agree to random urinalysis if requested by both the DHS and the GAL, based on behavioral observations and/or sufficient collateral information to suspect substance abuse which may be impairing the parents' ability to provide a safe environment for the children.
  7. **Not use any physical discipline with the children.**
  8. **Maintain regular contact with the DHS to discuss problems and progress with this service plan.**
    - a. Contact the assigned DHS social worker at least once per week, by phone or in person.
    - b. Advise the DHS social worker of any major changes, such as address, phone number, who lives in the home, medical problems, arrests, etc. within 48 hours of there occurrence.
  9. **Allow the DHS access to such medical, psychiatric, and psychological information as is considered**

necessary to arrange appropriate services, and as ordered by the court.

10. **Seek employment with income sufficient to maintain housing and transportation.**
  - a. With assistance of referrals from the DHS to known resources, if requested.

**B. Mr. Peter Kema Sr. will:**

1. Attend a minimum of 4 meetings of Alcoholics Anonymous:
  - a. Call Alcoholics Anonymous Hotline at 961-0631 to arrange attendance.
  - b. Provide statement of attendance to the DHS social worker for each meeting including the date, time, place, and signature of witness verifying attendance.

**C. The DHS will:**

1. Ensure child care is available to allow participation in services, as necessary.
2. Monitor problems and progress with this service plan by maintaining contact, verbal, written, or face to face, with the service providers.
3. Maintain regular contact with family members through visits, phone calls, and collateral contacts.
4. Arrange other services as necessary, in consultation with the GAL.
5. Assess the effectiveness and utilization of services provided.
6. Maintain regular contact with the children and the foster parent to assure appropriate care for the children, and appropriate support for the foster parent.
7. Provide financial support for rent, auto payment, and utilities services or re-establishment directly to the payee, **for a maximum of 3 months** so long as the family is eligible per 17-913-6.

V. SPECIFIC STEPS TO ACHIEVE OBJECTIVES/RESPONSIBILITIES OF THE FOSTER PARENTS/CARETAKERS:

- A. Maintain confidentiality with regards to the [REDACTED] family and the abuse [REDACTED] suffered.
- B. Continue to transport [REDACTED], [REDACTED] and Peter Jr. to and from the doctor's office for routine and recommended therapy or examinations.
- C. Encourage [REDACTED] and [REDACTED] to communicate with their father [REDACTED] by visiting, writing, phone calls, pictures, etc. as approved by the DHS social worker in consultation with the GAL.
- D. Continue to establish clear rules for [REDACTED] and [REDACTED] and follow up with fair and consistent positive and negative consequences.
- E. Continue to keep the Social Worker informed of any changes and new developments in the children's situation.
- F. Provide and monitor visits, as approved by the DHS and the GAL, so far as you are able; so long as this does not present a danger to the children or your family.
- G. Continue to provide positive role modeling.
- H. Maintain a neutral and fair attitude with respect to the issue of reunification or permanency planning.

VI. ANCILLARY RESOURCES:

- A. Dr. Kit Barthel, PhD.
  - 1. Provide ongoing couples, individual, and/or family therapy as outlined above.
  - 2. Provide reports, written and/or verbal, concerning the progress and participation of the parties, as requested by the DHS.
- B. Queen Liliuokalani Children's Center.
  - 1. Provide parenting education through the nurturing program, and other services in support of the program, as appropriate, for Ms. Acol and Mr. Kema.

2. Provide reports, written and/or verbal, concerning the progress and participation of the parties, as requested by the DHS.
- C. DHS, Family Services Assistant.
1. Provide ongoing "hands-on" education and training for children and household management as outlined above.
  2. Provide reports, written and/or verbal, concerning the progress and participation of the parties, as requested by the DHS social worker.

VII. CONSEQUENCES:

- A. YOUR PARENTAL AND CUSTODIAL DUTIES AND RIGHTS CONCERNING THE CHILD OR CHILDREN WHO ARE SUBJECT OF THIS SERVICE PLAN MAY BE TERMINATED BY AN AWARD OF PERMANENT CUSTODY IF YOU FAIL TO COMPLY WITH THE TERMS AND CONDITIONS OF THIS SERVICE PLAN.
- B. If Ms. Jaylin Acol and Mr. Peter Kema Sr. substantially comply with their responsibilities to provide [REDACTED], [REDACTED], and Peter Kema, Jr. with a safe family home as are set forth in this service plan, the DHS will consider recommending a revised Service Plan addressing the reunification of [REDACTED] in the home, or the recommendation of returning [REDACTED] to home and a change of status to Family Supervision.
- C. If Ms. Jaylin Acol and/or Mr. Peter Kema, Sr. do not substantially comply with their responsibilities to provide [REDACTED], [REDACTED], and Peter Kema, Jr. with a safe family home as are set forth in this service plan, the DHS may take or recommend such action as is deemed necessary to protect [REDACTED] including, but not limited to: recommendation of a revised service plan continuing Foster Custody, a recommendation of contempt of court, or a recommendation of Permanent Custody.

IX. SERVICE PLAN REVIEW DATE:

This Service Plan shall be in effect until March 1, 1992, or until further order of the court.





CERTIFICATE OF SERVICE

I hereby certify that on September 9, 1991, a copy of the foregoing was duly served upon the following parties by the method indicated below.

	By: <u>U.S. Mail</u>	By: <u>Hand-Delivery/ Court Jacket</u>
Edith Radl Guardian Ad Litem	X	
Tim DeSilva Attorney for Mother		X
Jaylin Acol Mother		X
Celia Urion Attorney for [REDACTED]	X	
[REDACTED] Father of [REDACTED] Children		X
Tim DeSilva Attorney for Peter Kema, Sr.		X
Peter Kema, Sr. Father of Peter Kema Jr.		X

[REDACTED]  
[REDACTED]  
EH-Child Welfare Services II

In the Interest of [REDACTED] FC-S No. [REDACTED] and  
Peter Kema, Jr.; FC-S No. 91-48

Supplemental Report-Safe Home Guidelines Dated September 8, 1991.

lkm