



HAWAII ISLAND YWCA
FAMILY SUPPORT SERVICES
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January 19, 1994

[REDACTED]
Hawaii Island Branch Administrator
Department of Human Services
Child Protective Services
Family & Adult Services
PO Box 1562
Hilo, HI 96720

Attention: [REDACTED]

Re: Peter & Jaylin Kema

Dear [REDACTED]

As the outreach worker active on this particular case, I have several concerns which I would like to document at this time. These concerns surround the frequent canceling and rescheduling of home visits, the inappropriateness of Peter Kema's anger and resulting fallout, and the parents blaming [REDACTED] for Peter Jr.'s injuries prior to ECST's involvement.

With the Kemas, I have scheduled weekly home visits. These visits have been canceled regularly (often 2 to 3 weeks each month) since October. However, Jaylin has expressed reasonable excuses for these cancellations and usually reschedules. On those times when the family failed to reschedule, I would attempt an unscheduled home visit. Many times, unfortunately, these unscheduled home visits were unsuccessful, as no one answered the door. The disruption of regularly scheduled visits has impeded my work with this family.

Additionally, on several occasions, I have witnessed Peter Kema's anger, and I am concerned about the appropriateness of his behavior as a result of it. On September 29, 1993, my intervention with this family was halted by Peter. On this date, he appeared to be outraged with me, displaying aggressive body language and using profanity. He stood in the hallway of his home, ordered me to leave, and expressed considerable anger about my intervention methods. This display apparently was prompted by his understanding that I suspected that he was the perpetrator of his wife's injuries, which I had discovered on an



A United Way Agency

EXHIBIT B

unscheduled home visit on August 26, 1993.

Displays of anger which were more controlled involved a previous incident where Peter made a disclosure to me about Jaylin's side of the family. He said that her family was not complying with visitations with [REDACTED] when not in the home. He stated that [REDACTED] allowed [REDACTED] to do whatever they wanted to do". Using profanity and pacing throughout the room, he vented his frustration many times about the "mixup" with visitations. I believe that he felt that I would be able to help them with this situation, but I could only refer them back to his Child Protective Services social worker.

On another occasion, I had phoned the family to confirm a Saturday appointment to observe the other children. Peter answered the phone, and during that conversation, he vented with me, again using profanity, about his considerable disappointment toward Jaylin's attorney. Apparently, in his angry state, he neglected to inform Jaylin of the appointment about which I had called. Therefore, once again, it had to be rescheduled.

My reason for citing and my concern about these incidents is as follows. Given Peter's knowledge of my responsibilities to monitor the safety of his [REDACTED] and report my observations to Child Protective Services, Peter's lack of control of his anger with and toward me, is substantial. Therefore, I am concerned about his method of dealing with his anger and lack of control with his wife and [REDACTED].

My final concerns regard the emotional development of [REDACTED], considering that [REDACTED] still feels responsible for the injuries of [REDACTED] Peter Jr. According to Jaylin, Peter Sr. witnessed [REDACTED] jumping on [REDACTED] brother. To date, I believe [REDACTED] is still being made to feel responsible for those injuries, and this may interfere with [REDACTED] emotional development.

Sincerely,



Gloria Thompson
ECST Outreach Worker



Patricia Ramsey-Scott, ACSW
ECST Acting Manager

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

PERMANENT PLAN

Date: January 24, 1994

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

I. GOAL:

Permanent Custody with the Department of Human Services (DHS) and continued long-term placement with [REDACTED]

II. REASON FOR GOAL:

[REDACTED] have been caretakers for [REDACTED] Peter Jr., since August of 1991. During the past two and a half years, there has been much conflict over visitation rights and schedules between Jaylin Acol-Kema ("Mother") and Peter Kema, Sr., Father of Peter Kema, Jr. and Stepfather of [REDACTED] ("Father").

It is appropriate at this time that the DHS be made Permanent Custodian of the above-named [REDACTED] in order to facilitate ongoing contact between [REDACTED] and their parents, as appropriate.

III. OBJECTIVES AND ACHIEVEMENT OF OBJECTIVES:

A. Placement: To provide the children with a continuous, safe, and nurturing environment in the home of their [REDACTED]

1. Provide assistance to [REDACTED] caretakers to facilitate and strengthen [REDACTED] continued adjustment in the home.
2. Provide foster board payments/Medicaid/special service cost payments as long as [REDACTED] meet eligibility requirements set forth in the DHS Rules Manual.

B. Health: To assure that [REDACTED] health needs are met.

1. Monitor [REDACTED] medical, visual, dental and other health needs and ensure prompt follow-up.

2. Arrange continuous medical/health insurance coverage through a private insurance plan or Medicaid.

C. Education: To assure that each child receives adequate and appropriate educational services based on regular assessment.

1. Monitor [redacted] school attendance and academic progress through contacts with the school personnel.

2. Make appropriate referrals for tutorial, remedial and other special educational services as indicated.

D. Therapeutic Intervention: To assure therapeutic services to [redacted] with focus on dealing with past abuse issues and continued placement in the home of the [redacted]

1. Arrange and monitor individual/family therapy, counseling as long as this is indicated.

2. Explore and support participation in programs and activities which will help [redacted] improve self-esteem, develop better coping and decision making skills and enhance family/peer relationships.

E. Birth Family: To enable [redacted] to maintain positive relationships with birth family as indicated.

1. Set up a visitation plan which addresses [redacted] need to have visits/telephone contact with family members.

2. Monitor the visitation and provide case work services so that the contacts will be positive experiences for those involved.

F. Culture: To provide [redacted] the opportunity to learn about and identify with his/her cultural heritage, as appropriate.

[redacted]
Social Worker

1/25/94
Date

[redacted]
Supervisor

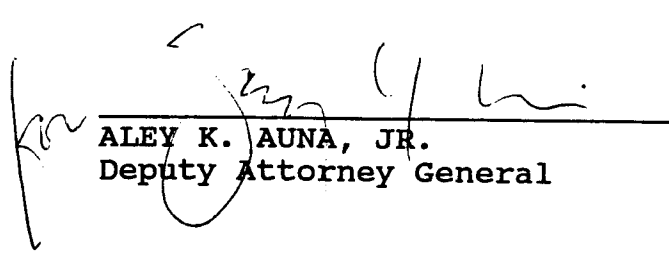
[redacted]
Date

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on January 26, 1994, a copy of the foregoing was duly served by the methods below to the following individuals:

	<u>Hand Delivery</u>	<u>U. S. Mail</u>
KRIS A. LAGUIRE, ESQ. Attorney for Mother	X	
CELIA A. URION, ESQ. Attorney for [REDACTED]		X
STEVEN D. STRAUSS, ESQ. Attorney for Father Peter Kema, Sr.		X
EDITH K. RADL, ESQ. Guardian Ad Litem		X
PETER K. KUBOTA, ESQ. [REDACTED]		X

DATED: Hilo, Hawaii, January 26, 1994.



ALEY K. AUNA, JR.
Deputy Attorney General

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

THIRD CIRCUIT COURT
STATE OF HAWAII
FILED

AUG 19 10 23 AM '93
Suzanne M. Tokunaka

GUARDIAN AD LITEM

IN THE FAMILY COURT OF THE THIRD CIRCUIT

STATE OF HAWAII

IN THE INTEREST OF

[REDACTED]

[REDACTED]

PETER KEMA, JR.
Born on May 1, 1991

FC-S NO. [REDACTED] & 91-48

REPORT OF THE
GUARDIAN AD LITEM;
CERTIFICATE OF SERVICE

Date: Aug. 23, 1993
Time: 10:30 a.m.
Judge: Ben H. Gaddis

REPORT OF THE GUARDIAN AD LITEM

COMES NOW Edith Kawai Radl, your guardian ad litem herein, and hereby submits the following report to this Court:

[REDACTED] are doing very well. [REDACTED] appear to be healthy. [REDACTED] have had a recent visit to the dentist and, as I recall, [REDACTED] had no cavities and [REDACTED] had a single tiny cavity that will need a bit of work. Peter is very mobile. He's a very happy child who takes his happy time with all that he does.

[REDACTED] have not attended summer school during the vacation. Instead, [REDACTED] have spent their days in the care of [REDACTED]. [REDACTED] also spend time at playmates' homes in the area.

[REDACTED] have matured a great deal. [REDACTED] are more outgoing. [REDACTED] are quite verbal. [REDACTED] are interested in all of the goings on. We have spent a good deal of time on the living

room floor reading through their library of books. [REDACTED]

[REDACTED] have excellent memories of stories and books we have read on other visits. Peter is great (patient) helper with picking up books and putting them away.

I am aware, through my discussions with the case worker, that Jaylin and Peter have been working very hard with their services. They are opening themselves up to service providers and really participating in a positive manner. I also believe that visitations have been much improved. In fact, in my discussion with [REDACTED], she wanted to know whether or not it would be possible to leave [REDACTED] with Peter and Jaylin for several hours in an unsupervised situation. Given the participation in services, it may soon be possible to do just that.

I am quite relieved that this case is moving in its current direction. The parents are working hard and [REDACTED] have a greater awareness of their own safety and have a much better ability to report unsafe conditions.

I would recommend that the family continue to work on their services. Further, with recommendations from MIST, or Home-Based Services - type people, we should consider working toward unsupervised visits (and later over night visits) in the very near future.

DATED: KAMUELA, HAWAII, 16 August 1993.


EDITH KAWAI RADL

CERTIFICATE OF SERVICE

IT IS HEREBY CERTIFIED that a true and correct copy of the foregoing document was duly served by depositing the same into the United States mails, postage prepaid, on this date as follows:

ALEY AUNA, ESQ.
DEPUTY ATTORNEY GENERAL
1014-D Lagoon Centre
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ATTORNEY FOR MOTHER

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ATTORNEY FOR [REDACTED]

PETER S. KUBOTA, ESQ.
Case and Lynch
460 Kilauea Avenue
Hilo, HI 96720

[REDACTED]
DATED: KAMUELA, HAWAII,

16 August 93

Edith Kawai Radl
EDITH KAWAI RADL

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Suite 260, Box 111333
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Telephone: (808) 885-0788

DEPT. OF HUMAN SERVICES
Family & Adult Services Division

OCT 18 1993

TRANSMITTAL MEMORANDUM

EH Social Services Section
Hilo, Hawaii

TO: Peter S. Kubota, Esq. [REDACTED]
460 Kilauea Ave. Child Protective Services
Hilo, Hawaii 96720 75 Aupuni St.
Hilo, Hawaii 96720

FR: EDITH KAWAI RADL

DATE: 14 October 1993

RE: In the Interest of [REDACTED] / KEMA Children, FC-S No. [REDACTED] & 91-48

We are sending you:

ORIG.	COPIES	DATED	DESCRIPTION
	1 ea	8/19/93	File Stamped Report of the Guardian Ad Litem

Sorry for the delay
[REDACTED]

- | | |
|--|---|
| <input type="checkbox"/> For Judge's signature | <input type="checkbox"/> For signature and return |
| <input type="checkbox"/> For filing | <input type="checkbox"/> For signature, forwarding
as noted below & return |
| <input checked="" type="checkbox"/> For your files | <input type="checkbox"/> For review & comment |
| <input type="checkbox"/> Per your request | <input type="checkbox"/> For distribution |
| <input type="checkbox"/> For necessary action | |

REMARKS:

COPY

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Attorney General of Hawaii

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Hilo, Hawaii 96720
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THIRD CIRCUIT COURT
STATE OF HAWAII
FILED

AUG 17 3 21 PM '93
H. TAMANAHA

CLERK

Attorneys for the Department
of Human Services

IN THE FAMILY COURT OF THE THIRD CIRCUIT

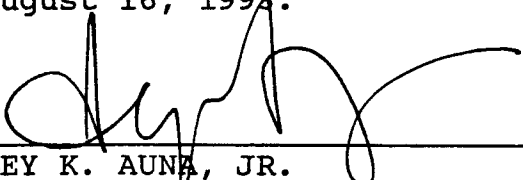
STATE OF HAWAII

In the Interest of	)	FC-S NOS. [REDACTED]
[REDACTED]	)	91-48
[REDACTED]	)	NOTICE OF FILING; SAFE
[REDACTED]	)	FAMILY HOME GUIDELINES
[REDACTED]	)	REPORT; SERVICE PLAN AND
[REDACTED]	)	AGREEMENT; EXHIBITS "A"
[REDACTED]	)	THROUGH "D"; CERTIFICATE OF
PETER KEMA, JR.	)	SERVICE
Born on May 1, 1991	)	DATE: August 23, 1993
	)	TIME: 10:30 a.m.
Children under the age of	)	JUDGE: BEN H. GADDIS
<u>eighteen years.</u>)	

NOTICE OF FILING

Please take notice that the attached Notice of Filing; Safe Family Home Guidelines Report; Service Plan and Agreement and Exhibits "A" through "D" dated August 4, 1993, and prepared by [REDACTED] Social Worker for The Department of Human Services, is hereby submitted to the Court pursuant to §587-40, H.R.S., as amended.

DATED: Hilo, Hawaii, August 16, 1993.



ALEY K. AUNA, JR.
Deputy Attorney General

A CONFIDENTIAL REPORT OF THE
DEPARTMENT OF HUMAN SERVICES

IN THE FAMILY COURT OF THE THIRD CIRCUIT

STATE OF HAWAII

In the Interest of

) FC-S No. [REDACTED]

) 91-48

)
)
)
)
) SAFE FAMILY HOME GUIDELINES
) REPORT; SERVICE PLAN AND
) AGREEMENT; EXHIBITS A-D
)

[REDACTED]
[REDACTED]
PETER KEMA, JR.

Born on May 1, 1991

Children under the age of
eighteen years.

) JUDGE : BEN H. GADDIS
) HEARING: AUGUST 23, 1993
) TIME: 10:00 A.M.
)

SAFE FAMILY HOME GUIDELINES REPORT

Date: August 4, 1993

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 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.

As discussed below, the Department of Human Services ("DHS") is using reasonable efforts to return [REDACTED] to the family home.

The following information concerns the current situation relevant to each of the 14 guidelines' criteria set forth in HRS 587-25. This report is intended to be reviewed in conjunction with each of the prior reports submitted in this case.

1. THE CURRENT FACTS RELATING TO THE CHILD WHICH INCLUDE AGE AND VULNERABILITY, PSYCHOLOGICAL, MEDICAL AND DENTAL NEEDS, PEER AND FAMILY RELATIONSHIPS AND BONDING ABILITIES, DEVELOPMENTAL GROWTH AND SCHOOLING, CURRENT LIVING SITUATION, FEAR OF BEING IN THE FAMILY HOME, AND SERVICES PROVIDED THE CHILD.

[REDACTED]
Peter Kema, Jr., age two (2), continue to live in the home of [REDACTED] home is located in Kona.

Since the time of the last Court hearing on May 24, 1993, a regular schedule of visitations have been implemented with [REDACTED] bringing [REDACTED] to Hilo once a month for visits with Jaylin Kema ("Mother"), Peter Kema Sr. ("Father"), father of Peter Jr. and stepfather of [REDACTED] as well as the youngest member of the family, [REDACTED]. One weekend each month, Mother and Father travel with [REDACTED] to Kona to visit with [REDACTED] Peter Jr.

Mother, Father and [REDACTED] have all reported that the visits have become better over the past three months. [REDACTED] have become used to having regular contact with Mother and Father and have come to expect and enjoy these visits. Father has spent much time with [REDACTED] during the Hilo visits.

Concern has been voiced by [REDACTED] and Family Support Services-Mother Infant Support Team (FSS-MIST) Outreach Worker, Gloria Thompson, that Father spends much shorter periods of time with [REDACTED] when the visits take place in Kona. During a home visit made by this social worker on Tuesday, August 3, 1993, this concern was discussed with Father in the presence of Mother and Ms. Thompson. Father stated that he continues to feel uncomfortable around Mother's family, especially [REDACTED] and Mother's [REDACTED] and spends shorter periods of time with [REDACTED] in an effort to avoid verbal confrontations. Father admits that the situation is getting somewhat better with time, but expressed a desire of wanting to engage in "ho'oponopono" with [REDACTED] in an effort to "make things right." Mother added that "ho'oponopono" would provide a means for her and Father to strengthen their relationship with [REDACTED] in matters regarding [REDACTED]

This social worker has been told by [REDACTED] Mother and Father, of various conversations with [REDACTED] regarding reunification in the family home in the near future. [REDACTED] have spoken of wanting to live with Mother and

Father when visiting in the family home in Hilo. Upon returning to the [REDACTED] in Kona, however, [REDACTED] have questioned [REDACTED] as to what they can expect when they return home to live with Mother and Father. Continuing visitations in the family home, both supervised and unsupervised leading to overnights with Mother and Father, will do much to put these fears to rest. Caution must be exercised in moving at a pace with which [REDACTED] are comfortable.

Father has told this social worker that he finds it especially difficult to deal with [REDACTED] verbalizations about the physical abuse which [REDACTED] and [REDACTED], suffered in the past at Father's hands. [REDACTED] has led Father to believe that these verbalizations are "repeats" of what [REDACTED] have been told by [REDACTED]. This social worker has counseled Father to repeatedly apologize for his past behavior while at the same time reassuring [REDACTED] that he is "getting help" this kind of behavior will never happen again.

2. THE INITIAL AND ANY SUBSEQUENT REPORTS OF HARM AND/OR THREATENED HARM SUFFERED BY THE CHILD.

Please refer to prior court reports.

In his report dated July 28, 1993, Christopher E. Barthel, III, Ph.D., states that Father and Mother have continued to maintain their ignorance as to how the abusive incidents regarding their son, Peter Kema Jr., took place while engaging in therapeutic counseling sessions ("Exhibit A").

During the August 3, 1993 home visit, this social worker again told Mother and Father that in order to assure that no injury will come to any of [REDACTED] upon their return to the family home, it was necessary to know what took place which resulted in Peter Jr. being injured, so that precautions may be taken to prevent the situation from being repeated. This social worker then stated that Mother and Father may have some fear as to possible criminal charges, should either of them admit to the abusive acts. Father quickly responded by saying "Right, what about criminal charges?" Father was advised to speak with his attorney regarding this specific issue. It is hoped that the specifics regarding the past physical abuse of Peter Jr. can be completely addressed and appropriately dealt with in the months ahead.

Acknowledgment was given by this social worker to the progress which Mother and Father have made, individually and as a couple, to deal with their own frustrations, anger, and negative ways of responding in certain situations. This progress is evidenced in Dr. Barthel's extensive report which has been previously cited.

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)

Please refer to prior reports.

There has been no change in the out-of-home placements of [REDACTED] since this Department's Report to the Court dated May 10, 1993.

4. HISTORICAL FACTS RELATING TO THE ALLEGED PERPETRATOR AND OTHER APPROPRIATE FAMILY MEMBERS WHO ARE PARTIES WHICH INCLUDE BIRTHPLACE AND FAMILY OF ORIGIN, HOW THEY WERE PARENTED, MARITAL/RELATIONSHIP HISTORY, AND PRIOR INVOLVEMENT IN SERVICES.

Please refer to prior reports.

5. THE RESULTS OF PSYCHIATRIC/PSYCHOLOGICAL/DEVELOPMENTAL EVALUATIONS OF THE CHILD, THE ALLEGED PERPETRATOR AND OTHER APPROPRIATE FAMILY MEMBERS WHO ARE PARTIES.

Please refer to prior reports.

Dr. Barthel continues to provide therapeutic psychiatric counselling services to Mother and Father on a regular basis. Mother has expressed a desire that she be given an opportunity, through Ho'oponopono, to heal her relationship with her [REDACTED]. Mother especially wants to find ways to reassure [REDACTED] that [REDACTED] is in no way responsible for the harm which came to [REDACTED] Peter Jr.

6. 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.

Please refer to prior reports.

7. WHETHER THERE IS A HISTORY OF SUBSTANCE ABUSE BY THE CHILD'S FAMILY OR OTHERS WHO HAVE ACCESS TO THE FAMILY HOME.

Please refer to prior reports.

8. WHETHER THE ALLEGED PERPETRATOR(S) HAS ACKNOWLEDGED AND APOLOGIZED FOR THE HARM.

The alleged perpetrator of harm upon Peter Jr. remains unknown. As addressed under #2 of this report, Mother and Father have responded in a positive manner to this social worker's continuing efforts to determine who the perpetrator of the past physical abuse to Peter Jr. is. It is hoped that further progress can be made in this area in the months ahead.

The DHS continues to consider each parent a perpetrator of the past incidents of harm upon [REDACTED] Peter Jr., whether by omission or commission. Due to the fact that the perpetrator(s) has/have yet to acknowledge the infliction of such harm upon Peter Jr., in particular, [REDACTED] continue to reside in the home of their [REDACTED]

9. WHETHER THE NON-PERPETRATOR(S) WHO RESIDE IN THE FAMILY HOME DEMONSTRATED THE ABILITY TO PROTECT THE CHILD FROM FURTHER HARM AND TO INSURE THAT ANY CURRENT PROTECTIVE ORDERS ARE ENFORCED.

This social worker does not presently know whether or not there are any non-perpetrators living in the family home.

During the course of the past two years, Mother and Father have each engaged in therapeutic counseling with Dr. Barthel in addition to participating in various other service programs. Since June 15, 1993, Mother and Father have availed themselves of the services provided by the MIST. MIST members have reported that the parents are doing very well in meeting the needs of [REDACTED] who was [REDACTED]. The family home is both a safe and nurturing environment for [REDACTED] at this time.

Efforts will continue to be made to assist Mother and Father in making the family home a safe and nurturing place to which [REDACTED] can return.

10. WHETHER THERE IS A SUPPORT SYSTEM OF EXTENDED FAMILY AND/OR FRIENDS AVAILABLE TO THE CHILD'S FAMILY.

It is this social worker's belief that the relationship between Mother, Father [REDACTED] has much improved since the May 24, 1993. During the course of a recent telephone conversation with this social worker [REDACTED] stated that she realizes that [REDACTED] are becoming more active as they grow older and, as such, require much more supervision and care. [REDACTED] stated that she has observed the changes which the Mother and Father have made and continue to make and she looks forward to the day when [REDACTED] will be able to return to the family home.

[REDACTED] expressed a willingness to this social worker to continue working with Mother and Father in the ongoing process which is necessary to facilitate eventual reunification, i.e., periods of unsupervised visitation with Mother and Father, single overnights in the family home, and extended periods of time in the family home during vacation/holiday times.

On August 3, 1993, during a visit to the family home, this social worker talked at length with Mother and Father about the support which they will need when [REDACTED] are returned to the family home. Mother and Father both acknowledged the fact that there is much work which must be done among and between the adults who are involved in [REDACTED] daily lives in order to assure a continuity of care for [REDACTED] on a continuing basis when they are returned to the family home.

Mother and Father expressed a willingness to "face up" to past shortcomings with the various adults on each side of the family through the Ho'oponopono process while continuing to engage in MIST services in order to prepare themselves to deal with the needs of [REDACTED]

Mother expressed an intention to engage in further services, i.e., parenting classes and Alternatives to Violence (ATV) in order to address some of the needs which she feels within herself.

Father talked of the necessary actions which he needs to take in order to emotionally as well as physically take care of the needs of himself, his wife and [REDACTED]. Rather than feeling threatened and shutting others out, Father has begun to look at ways in which he can learn from these individuals who are directly caring for [REDACTED] while respecting their views, opinions and concerns.

11. WHETHER THE CHILD'S FAMILY HAS DEMONSTRATED AN UNDERSTANDING AND UTILIZATION OF THE RECOMMENDED/COURT ORDERED SERVICES DESIGNATED TO EFFECTUATE A SAFE HOME FOR THE CHILD.

Past history in this case reveals sporadic efforts on the part of Mother and Father to engage in services to address the many needs which had to be dealt with before the family home could be considered a safe and nurturing environment to which [REDACTED] Peter Jr. could be returned. This course of action has changed since January, 1993.

Mother and Father, individually and conjointly, have engaged in therapeutic services with Dr. Christopher Barthel on a consistent basis since the first of the year. Upon becoming eligible for MIST services, Mother actively engaged in working with the various MIST members prior to as well as subsequent to the birth [REDACTED]. It took a period of time for Father to engage in services with MIST but he, too, now eagerly looks forward to regular visits by the outreach worker and the MIST nurse. Mother and Father are attempting to integrate various skill building techniques into their daily lives with [REDACTED] as well as working with MIST members to address the needs and concerns which they have in dealing with [REDACTED].

The following MIST reports are attached to provide additional information to the court: report by MIST Outreach Worker Gloria Thompson dated June 29, 1993 ("Exhibit B"); report by MIST Health Educator Terry Kahele dated July 29, 1993 ("Exhibit C"); and the report by MIST Nurse Betty Hackley dated August 4, 1993 ("Exhibit D").

This social worker has witnessed an increased "openness" on the part of both parents to work with the DHS and various family members in order to make the family home a safe place to which [REDACTED] Peter Jr. can return. Instead of being totally overwhelmed by their situation, the parents have found ways to talk about their frustrations and needs with each other and, subsequently, to project a united front in addressing the demands, requests and concerns which must be taken care of before the [REDACTED] can be returned to the family home.

12. WHETHER THE CHILD'S FAMILY HAS RESOLVED SAFETY ISSUES IN THE FAMILY HOME WITHIN A REASONABLE PERIOD OF TIME.

As stated above Mother and Father, through their actions in recent months, have shown their commitment to make the necessary changes in their own lives so that the family home

can be a safe and nurturing place for [REDACTED]

[REDACTED] Much progress has been made in the past eight months through continued engagement in services with the MIST and therapeutic intervention by Dr. Christopher Barthel. Mother and Father have verbalized a willingness to engage in additional services as the need arises in order to better meet the individual needs of each of [REDACTED].

13. WHETHER THE CHILD'S FAMILY HAS DEMONSTRATED THE ABILITY TO UNDERSTAND AND ADEQUATELY PARENT THE CHILD ESPECIALLY IN THE AREAS OF COMMUNICATION, NURTURING, CHILD DEVELOPMENT, PERCEPTION OF THE CHILD AND MEETING THE CHILD'S PHYSICAL AND EMOTIONAL NEEDS.

As they have come to terms with their own individual needs given their experiences in early childhood and young adulthood, Mother and Father have come to appreciate each of [REDACTED] as individuals and have given careful consideration to the needs of each child. Mother and Father are able to acknowledge the continuing need of [REDACTED] to maintain contact with all of the significant adults in their lives, both now and in the future.

While wishing that the abuse and hurts of the past did not have to be repeatedly verbalized by [REDACTED] and other adult family members, Mother and Father have come to accept the fact that only they can restore, through their actions, the trust which [REDACTED] need and have a right to have in their parents.

Continuing demonstration on the part of Mother and Father will serve to assure the [REDACTED] as well as the DHS, that the time has come to begin the process in direct preparation for the return of [REDACTED] Peter Jr. to the family home.

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

During the past five months, Mother and Father have demonstrated to this social worker and the members of the MIST, that they are capable of providing a safe and nurturing family home for [REDACTED]. It is now time to begin the gradual process of direct actions which must take place in order to determine if Mother and Father can resume the full-time care of [REDACTED] within the family home and maintain the safety of the home.

Mother and Father have agreed to continue to engage in services with the MIST as well therapeutic intervention, both individually and conjointly, with Dr. Christopher Barthel. Mother and Father have reached a point where they are now able to be extremely realistic in addressing the necessary work which must be done within the reunification process. Mother and Father have accepted the fact that it may well take until the summer of 1994 before [REDACTED] Peter Jr. can be permanently returned to the family home.

More importantly, Mother and Father have stated that they realize that once reunification takes place, their work will only have begun and that they will continue to need to rely on friends and family in order to maintain a safe, nurturing family home for [REDACTED] until they reach adulthood. It is with this thought in mind that Mother and Father are hoping that all of the family members, [REDACTED] in particular, will engage in Ho'oponopono in an effort to heal the hurts which have taken place in the past.

RECOMMENDATION

Based upon the aforementioned information, it is recommended to the Court by the Department of Human Services:

- 1) That Foster Custody of [REDACTED] Peter Kema, Jr. to the DHS be continued; and
- 2) That the attached Services Plan and Agreement dated August 4, 1993 be ordered by the Court.

DATED: Hilo, Hawaii, August 4, 1993.

Respectfully submitted,

[REDACTED]
DHS Social Worker

I certify I have reviewed this document.

[REDACTED]
Supervisor
Child Welfare Services II

Representing the Department
of Human Services

Aug 13, 1993
Date

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

SERVICE PLAN AND AGREEMENT

Date: August 4, 1993

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

This Service Plan and Agreement is between Mrs. Jaylin Kema (a.k.a. Jaylin Acol), Mother, Mr. Peter Kema, Sr., Father of Peter Kema, Jr., [REDACTED] and the Department of Human Services (DHS).

I. REASON FOR AGENCY INVOLVEMENT:

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

[REDACTED] were placed out of the family home on May 8, 1991, and subsequently returned on June 26, 1991.

On August 11, 1991, Peter Kema, Jr., was admitted to Hilo Hospital with multiple fractures of varying ages, and [REDACTED] were taken into foster custody by DHS. The explanations offered by Mr. and Mrs. Kema did not satisfactorily explain the injuries.

This Service Plan and Agreement is intended to reduce the family stress, the risk of harm to [REDACTED], and work toward reunification of [REDACTED] with the family. Justification for the services addressed in this Service Plan are contained in the Safe Home Guidelines dated May 14, 1991, June 26, 1991, August 17, 1991, March 31, 1992, July 8, 1992, May 10, 1993 and August 4, 1993.

II. GOAL:

The primary goal is to reunite [REDACTED] with their parents in a safe family home no later than June, 1994.

The secondary goal is to provide [REDACTED] with a safe, stable, nurturing, alternative, permanent family home.

III. OBJECTIVES:

TO GAIN EMPLOYMENT SUFFICIENT TO MAINTAIN HOUSING AND TRANSPORTATION

TO CONTINUE TO DEMONSTRATE BUDGET, RESOURCE, AND TIME MANAGEMENT SKILLS SUFFICIENT TO MAINTAIN HOUSING, TRANSPORTATION, FOOD AND CONTACT WITH THE CHILDREN

TO CONTINUE TO LEARN AND DEMONSTRATE APPROPRIATE INTERPERSONAL/RELATIONSHIP SKILLS

TO CONTINUE TO DEMONSTRATE AN ADEQUATE UNDERSTANDING OF THE CHILDREN'S NEEDS FOR ROUTINE, PREDICTABLE, POSITIVE CONTACT

TO CONTINUE TO DEVELOP AND DEMONSTRATE SELF ESTEEM, INDEPENDENCE AND COPING SKILLS SUFFICIENT TO MAINTAIN A STABLE ENVIRONMENT

TO LEARN AND DEMONSTRATE APPROPRIATE PARENTING SKILLS

TO CONTINUE TO MAINTAIN AN ENVIRONMENT FREE OF SUBSTANCE ABUSE

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

A. MR. PETER KEMA, Father, and MRS. JAYLIN KEMA, Mother, will:

1. Continue to maintain contact with [REDACTED] by:

a. Continued telephone calls to [REDACTED] as currently arranged between parents and caretakers [REDACTED]

b. Visiting [REDACTED]

1) Parents will follow the written schedule of agreed upon visitations for the months of September, October and November, 1993, which are to be submitted to the DHS social worker on 08/23/93.

2) Visits are to take place on the scheduled weekends during the times arranged by the caretakers [REDACTED] and the parents.

Note: DHS social worker will maintain close contact with caretakers [REDACTED] and parents in order to [REDACTED]

facilitate the beginning of unsupervised and overnight visits when such visits become appropriate.

- 3) If unable to keep scheduled visit, parents are to work out an alternate schedule with the caretakers. [REDACTED] Contact to arrange a visitation change is to be made with the caretaker [REDACTED] at least 48 hours prior to the scheduled visitation.
 - c. Visiting with [REDACTED] is for the purpose of reducing [REDACTED] anxieties about their parents, and maintaining a predictable, ongoing, nurturing relationship between [REDACTED] and parents.
2. Continue to participate in counseling with Kit Barthel, Ph.D.:
- a. Continue to attend and participate in counseling as arranged by therapist.
 - b. Do 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) Anger management techniques;
 - 8) Resolution of Peter Jr.'s physical abuse;
 - 9) Other areas as assessed by therapist and agreed to by DHS and the Guardian ad Litem (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 counseling, 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 counseling.
3. Continue to participate in and successfully complete Mother/Infant Support Team (MIST) program at Family Support Services.
 - a. Not miss any session of the program without prior approval of the particular worker conducting the session.
 - b. Provide the DHS social worker with written proof of successful completion of the program.
 - c. Demonstrate an adequate understanding and utilization of skills developed in the MIST program.
 4. Allow MIST program workers to share information regarding progress in the various phases of the program when requested.
 5. Continue to 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 [REDACTED]
 6. Continue not to use any physical discipline with [REDACTED]
 7. Maintain regular contact with the DHS to discuss problems and progress with this Service Plan.
 - a. 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.

8. Allow 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, Father, will:

1. Seek and maintain appropriate employment.
 - a. Make enough money to pay rent, utilities and other essential bills sufficient to maintain housing adequate for yourself, your wife and [REDACTED]
 - b. If disabled, pursue treatment recommended to overcome or compensate for the identified disability.

C. The DHS will:

1. Monitor problems and progress with this Service Plan by maintaining contact, verbal, written, or face to face, with the service providers.
2. Maintain regular contact with family members through visits, phone calls, and collateral contacts.
3. Arrange other services as necessary, in consultation with the GAL.
4. Assess the effectiveness and utilization of services provided.
5. Maintain regular contact with [REDACTED] and the foster parent to assure appropriate care for [REDACTED] and appropriate support for the foster parent.
6. Facilitate the implementation of the visitation schedule as outlined in this Service Plan.
7. Encourage and facilitate participation of caretakers [REDACTED] and parents in "ho'oponopono" in an effort to "right the past" and strengthen the positive relationship which will be necessary in continuing to provide for the needs of [REDACTED] as the reunification progress continues.

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

A. [REDACTED]

[REDACTED] will:

1. Maintain confidentiality with regards to [REDACTED] family and the abuse they have suffered, as far as you are able.
2. Continue to transport [REDACTED] Peter, Jr., to and from the doctor's office for routine and recommended therapy or examinations.
3. Encourage [REDACTED] to communicate with Jaylin and Peter by visiting, writing, phone calls, pictures, etc. subject to the approval of the DHS social worker in consultation with the GAL, if necessary.
4. Continue to establish clear rules for [REDACTED] and follow up with fair and consistent positive and negative consequences.
5. Continue to keep the social worker informed of any changes and new developments in [REDACTED] situation.
6. 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 [REDACTED] or your family.
 - a. Caretakers will follow the written schedule of agreed upon visitations for the months of September, October and November, 1993, which are to be submitted to the DHS social worker on 08/23/93.
 - b. Communicate directly with the parents to arrange for alternate scheduling of visits should an unexpected situation arise.

Note: Both caretakers, [REDACTED] and parents have expressed the fact that they feel able to continue to work out adjustments to the visitation schedule among themselves. Should any problems arise during the period of time covered by this Service Plan and Agreement with regard to visitation, the DHS social worker and/or GAL will be contacted to mediate the situation.

- c. If unable to keep scheduled weekend visit, caretakers are to contact parents at least 48 hours prior to the scheduled visitation in order to make arrangements for an alternate visitation weekend.
7. Continue to provide positive role modeling.
8. Maintain a neutral and fair attitude with respect to the issue of reunification or permanency planning.

Caretakers [REDACTED] are to continue to take special care that negative conversation and/or comments regarding [REDACTED]'s biological parents is not done within hearing range of [REDACTED] at any time. Caretakers are to encourage other members of their household to exercise like caution and restraint when talking about [REDACTED] parents.
9. Continue the visits between [REDACTED]

VI. ANCILLARY RESOURCES:

- A. Dr. Kit Barthel, Ph.D.
1811 Kamuela
Kamuela, Hawaii 96743
Telephone: 961-2525
- B. Family Support Services -
MIST/Parenting Classes
165 Keawe Street
Hilo, Hawaii 96720
Telephone: 961-3877

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 Mrs. Jaylin Kema and Mr. Peter Kema, Sr. substantially comply with their responsibilities to provide [REDACTED] 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 their home and a change of status to Family Supervision.

- C. If Mrs. Jaylin Kema and/or Mr. Peter Kema, Sr. do not substantially comply with their responsibilities to provide [redacted] 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.

VIII. SERVICE PLAN REVIEW DATE:

This Service Plan shall be in effect until the next scheduled Court hearing, or until further order of the Court.

IX. SERVICE AGREEMENT:

The undersigned have read the foregoing Service Plan and Agreement and understand and agree to each and every term and condition stated herein.

Jaylin Kema Date
Mother

Peter Kema Sr. Date
Father of Peter Kema. Jr.

Date

Date

8/13/93
Date
Social worker

I certify I have reviewed this document.

8/13/93
Date
Supervisor
Child Welfare Services II

Representing the Department
of Human Services

[redacted]

CHRISTOPHER E. BARTHEL, III, Ph.D.

Psychologist, Hawaii Certified

P.O. Box 1811

Kamuela, Hawaii 96743

DEPT. OF HUMAN SERVICES
Family & Adult Services Division

808-935-9147 • Hilo Telephone (808) 961-2525

AUG 2 1993

July 28, 1993

EH Social Services Section
Hilo, Hawaii

93 AUG -2 A8:19

DHS-PW-HILO

[REDACTED]
Hawaii Branch Administrator
Family and Adult Services Division
Attention: [REDACTED] Social Worker
P. O. Box 1562
Hilo, Hawaii 96721-1562

Re: [REDACTED] and Kema Children
FC-S No. [REDACTED] & 91-48

Dear [REDACTED]

At [REDACTED] request, I am writing an update of my psychotherapy contacts with Peter and Jaylin Kema. After having seen Peter when he was a teenager, I was contacted by him for help back in the summer of 1991, at the time of his initial contacts with CPS in Kona. I began seeing both Peter and Jaylin in August of that year and have remained consistently involved ever since. There have been a few times in which our contacts have lessened, both times occurring around Jaylin's pregnancies when her condition hindered mobility. In the spring of 1992, when he was initially involved with Adult Probation, Peter was sluggish in seeing me; Jaylin was more regular in her visits at that time. But since the summer of 1992 both have been very consistent in their counseling contacts with me, except for early 1993 at the ending of Jaylin's term of pregnancy.

As a couple, the young Kemas have progressed a great deal over the last year. This is largely attributable to inputs from therapy, to participation in Alternatives to Violence, to parenting inputs, to a lessening in the multitude of crises that faced them during 1991 and early 1992, and to general growth and maturation. Even in the face of frustrations in living conditions, financial needs, Jaylin's difficult pregnancy, and communication hassels with Jaylin's [REDACTED] the young couple have tended to solve their problems together and with much less emotional reactivity over the last year than in previous times. They still get frustrated with one another but deal with those frustrations with less intensity, with quicker solutions, and with increased humor and affection.

EXHIBIT A

[REDACTED] Hawaii Branch Administrator, DHS

Re: [REDACTED] and Kema Children

Page 2

July 28, 1993

They appear to work fairly well together in the parenting of their [REDACTED] and are gradually working out visitation contacts with the [REDACTED] surrounding the [REDACTED] in placement. Communications and consistency in visits still remain tenuous at times, but, again, progress seems tangible and clear, when compared to the state of affairs six months to a year ago.

Peter shows considerable improvement in his control of anger and in his use of alcohol. At this point, I am unaware of any physical encounters between Jaylin and Peter for well over a year. To be sure, Peter finds himself frustrated by his wife, by his employment circumstances, by visitation and CPS difficulties, and occasionally within social situations; however, he has learned much better how to control his behavior while looking more closely at the feelings that arise within him. He remains quite open in his dialogue with me, in individual sessions, and speaks clearly and assertively in his couples counseling. He is much more proficient in being able to verbalize his feelings and frustrations; previously, he would hold his emotions within him or explode, often behaviorally. That no longer appears to happen. We regularly talk of anger management; he continues to use tools from ATV in his everyday life. As noted in an earlier report (dated July 2, 1992), Peter still has ample hurt within him, both from his own disrupted childhood and from the chaos that has occurred during his adult family life with Jaylin. His hurt still provides pain and a poignant void within him, but one with which he is trying more and more to deal effectively.

Whereas he exhibits considerable progress, Peter still shows areas in which he needs to work psychologically. He appears to manifest considerable attention, empathy, and nurturance to his [REDACTED] but can benefit from elaborating those attributes to his [REDACTED] who are more mobile and verbal. I am not saying that I believe that his handling of [REDACTED] during visitations are indicative of potential violence or abuse. I am merely noting that Peter would benefit from looking more closely at his ways of dealing with [REDACTED], more potentially intrusive [REDACTED]. He sometimes tends to react to their frustrating behaviors with bluntness or potential rejection ("If you keep acting that way, maybe you shouldn't be visiting with us," e. g.), after he has tried to reason with them.

[REDACTED] Hawaii Branch Administrator, DHS
re: [REDACTED] and Kema Children

Page 3
July 28, 1993

Another area that Peter could work on is his rather all-or-nothing, black-and-white way of looking at things. He needs to develop more shades of grey-- more intermediate steps in problem-solving. As an example, when faced with the conflict between the need to see the MIST members regularly and to be "on-call" for his boss, he chose to terminate his employment in order to avoid unpleasantness between him and his employer rather than try to work out a more flexible schedule with either MIST or his boss or to find other employment. In the past, Peter was unable to juggle very many demands or pressures; he would "drop the ball" and be inefficient regularly. Now he is learning to juggle many more demands than previously, but still has trouble when he perceives pressures to be strong or to have serious implications (e. g., demands by CPS or Adult Probation).

Over the last year, Jaylin has shown considerable growth. We were able to tackle the implications of her sexual abuse as a child and to look more closely at her relationships within her family of origin and with Peter. She seems much less emotionally reactive, showing considerably less serious depression and fewer self-defeating behaviors (e. g., over-spending). She appears to spend more time looking at herself and her own resources, becoming less reactive to Peter, and considering the inputs of a number of helping agents (e. g., MIST members, me, her attorney).

Jaylin remains sensitive to the reactions [REDACTED] particularly when visitations and fairness are issues. For the longest time, it seemed that CPS wanted visitations to be worked out by Jaylin/Peter and [REDACTED] without outside facilitation. But the "power" component between the two couples was very unbalanced and the young Kemas felt powerless and often at the whim of [REDACTED] likes and dislikes. Fortunately, after the birth of the baby, CPS did intervene more assertively in order to develop a clear-cut, documented schedule of visitations. Consequently, since that time, visits have occurred with greater frequency and regularity than ever before. I just wish this type of planning intervention had occurred much earlier. If it had, the visitations and monitoring and therapeutic work surrounding them could have been much more pronounced. In any case, Jaylin (and Peter, as well) seems to be handling the visits well, although, as expected, she wishes that overnights could occur and, of course, most strongly, that her [REDACTED] could be returned to her and Peter.

[REDACTED] Hawaii Branch Administrator, DHS
re: [REDACTED] and Kema Children

Page 4

July 28, 1993

I believe that both Peter and Jaylin are striving to do what is expected of them from CPS in order to have [REDACTED] returned to them. They both have issues that they can still work on, but none of these issues have direct bearing on their dangerousness as parents. The chaotic reactivity to frustration, the self-defeating behaviors, and the anger mismanagement that characterized their situation over a year ago seem to be under considerable control now. The characteristics that still need to be worked on by Peter and Jaylin appear to me to be much less associated with a direct propensity toward violence (toward children or spouse) and more toward difficulties that a variety of young, poorly prepared parent-couples manifest.

In talking about the abuse of Peter Jr., Peter and Jaylin both continue to maintain ignorance about how the injuries occurred and are firm in their statements that neither of them hurt the baby. They had noted heavy, rambunctious behavior on the part of the [REDACTED] toward Peter Jr. and acknowledged that they had not monitored [REDACTED] very well. I do have a concern that both young parents are sincerely puzzled as to the nature of the injuries and are also confused about the way to handle the apparent demand by CPS that they "admit" to the abuse. Both Peter and Jaylin have wondered outloud to me whether it would be better for them to falsely "admit" so as to give CPS what it wants. I have firmly advised them against this immature, self-defeating strategy. But given their youth and their fearful belief that they may not have [REDACTED] returned to them, I think we all need to be cognizant of the "Catch-22" bind that these young people may be feeling.

All in all, I am very pleased with the progress that Peter and Jaylin have made over the past year. That does not mean that they do not have issues that they need to deal with as individuals, as spouses, and as parents. But I do not see these issues as directly indicative of a lack of safety for [REDACTED] in placement. I would recommend continued visits of greater duration, continued periodic monitoring, and continued counseling. Focus needs to be, as before, on parenting skills, frustration/anger management, and communication with [REDACTED]. Special attention needs to be given to the increased likelihood of frustration when [REDACTED] are present in the Kema home, as opposed to only [REDACTED]. Ideally, working with the young couple on these parenting skills, [REDACTED] present, should occur

[REDACTED] Hawaii Branch Administrator, DHS
re: [REDACTED] and Kema Children

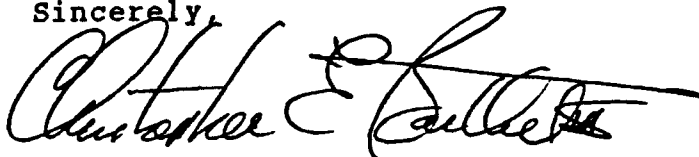
Page 5
July 28, 1993

soon, before [REDACTED] more mobile, and more verbally active, preferably while MIST can still be active.

I also recommend that persons working with Peter and Jaylin, and particularly with Peter, be very sensitized to cultural nuances relating to Peter's Hawaiian-ness. Very often his traditional cultural stance colors his response to issues; that trend should be understood and not misinterpreted. For instance, he recently failed to show up for a MIST visit because a friend had asked him to help him with an automobile mechanical emergency. His behavior was interpreted as unmotivated, irresponsible, avoidant, and/or misplacing his priorities. His cultural upbringing would place very high value on social/friendship networking, particularly if an emergency need existed. His behavior reflected just that, I would assert, not irresponsibility, a lack of motivation, or his placing his parenting education at a low level of priority. I am not saying that we should "excuse" any of Peter's behaviors because of his cultural identity. We just need to be sensitive and alert to misinterpretations, while at the same time helping him to become more in tune with the more "Western" expectations and patterns that we present to him.

I have considerable hope for Jaylin and Peter and for the before [REDACTED] more mobile, and more verbally active, preferably while MIST can still be active. reunification of their family. I look forward to continuing to work with them and with CPS toward that aim.

Sincerely,



Christopher E. Barthel, III, Ph. D.
Psychologist, Licensed Hawaii



AUG 4 1993

HAWAII ISLAND YWCA
FAMILY SUPPORT SERVICES EH Social Services Section
165 KEAWE STREET
HILO, HAWAII 96720

PHONE (808) 961-3877 • FAX (808) 961-9140

93 AUG -4 AMO:28
DHS-PW-HILO

June 29, 1993

[REDACTED]
Hawaii Branch Administrator
Department of Human Services
Child Protective Services
Family & Adult Services
P. O. Box 1562
Hilo, HI 96720

Attention: [REDACTED]

Subject: Kema, Jaylin and Peter
Case No. 10780

Dear [REDACTED]

I first initiated services with the Kema family in February 1993. Jaylin has been compliant with the outreach component of MIST. She appeared to be interested in learning about ways to stimulate her [REDACTED] and the different developmental stages that [REDACTED] would go through. We covered time out, positive verbal and physical redirection, and the importance of appropriate use of language towards [REDACTED]. In observing Jaylin and Peter with [REDACTED] I find both parents nurturing.

Up until June 15, 1993 Peter, the father of baby was not involved in these home visits due to work, helping a friend fix his car or just sleeping. During my home visit of June 15, 1993 Peter stated he had stopped working in order to be home during home visits so he would be in compliance with MIST in the hopes that he and Jaylin could regain custody of [REDACTED] who are out of the home. However, I have concerns about Peter and [REDACTED] Peter (5/1/91). Although he seems to be attentive to information I have provided, it emerged that he did not see [REDACTED] at all during a week long vacation in Kona during the week of June 6, 1993.



Jaylin has disclosed on two occasions that [REDACTED] feels bad about [REDACTED] injuries. She said she never saw the [REDACTED] jumping on Peter Jr. but her husband Peter did. Jaylin has said that Peter Sr. was the only adult in the room with [REDACTED] and Peter Sr. in turn told her what had happened.

If you have any questions please feel free to contact me or my supervisor Ros Surtees at 961-3877.

Sincerely,



Gloria Thompson
Mother Infant Support Team
(MIST) Outreach Worker



Rosalind Surtees, CQSW (MSW)
Mother Infant Support Team
(MIST) Manager

GT:RS/klc



HAWAII ISLAND YWCA
FAMILY SUPPORT SERVICES

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DEPT. OF HUMAN SERVICES
Family & Adult Services Division

AUG 4 1993

EH Social Services Section
Hilo, Hawaii

July 29, 1993

[REDACTED]
Hawaii Branch Administrator
Department of Human Services
Child Protective Services
Family & Adult Services
P. O. Box 1562
Hilo, HI 96720

Attention: [REDACTED]

Subject: Jaylin and Peter Kema

Dear [REDACTED]

This is a summary of my interaction with the Kema family. My initial home visit to introduce myself and my role with the Mother Infant Support Team was on April 23, 1993. My first two home visits were with Jaylin only. Peter was either working or asleep during my visits. Since June 14, 1993 I have had four visits that included Peter. There were also four home visits that were scheduled but Jaylin called to cancel them because they were in Kona visiting with [REDACTED] who are in foster care. These visits were rescheduled when they came back. My last visit was on July 27, 1993 with Jaylin. Peter was asleep at 10:00 in the morning.

During my visits I have provided handouts on dental health, healthy nutrition, health issues which involved precautions with fever and diarrhea. Safety in the home for [REDACTED] poison and shaken baby syndrome were also discussed and handouts were provided.

Both Jaylin and Peter have been very receptive and willing to learn. Jaylin has been open to suggestions and new ideas about nutrition for herself and her family.



A United Way Agency

EXHIBIT C

Jaylin has been great about following up with [REDACTED] physician. Her immunizations are up to date and [REDACTED] appears to always be clean and happy during home visits.

I have observed positive parent child interaction with both Peter and Jaylin. There are hugs and kisses and verbal communication with [REDACTED] and her parents.

In summary, my visits with the Kema family have been good. I have seen positive reaction and interaction with Jaylin, Peter and [REDACTED]. They have been receptive to information discussed and to the handouts provided.

If you have any question please call myself or my supervisor Ros Surtees at 961-3877.

Sincerely,



Terry Kahele
Mother Infant Support Team
(MIST) Health Educator



Rosalind Surtees, CQSW (MSW)
Mother Infant Support Team
(MIST) Supervisor

TK:RS/klc



HAWAII ISLAND YWCA
FAMILY SUPPORT SERVICES
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DEPT. OF HUMAN SERVICES
Family & Adult Services Division

August 4, 1993

AUG 4 1993

EH Social Services Section
Hilo, Hawaii

93 AUG -4 P3:04

DHS-FW-HILO

[REDACTED]
Hawaii Branch Administrator
Department of Human Services
Child Protective Services
Family and Adult Services
P. O. Box 1562
Hilo, HI 96720

Attention: [REDACTED]

Subject: Jaylin and Peter Kema

Dear [REDACTED]

I have been involved with the Kema family since April 1993. Initially I had difficulty arranging a home visit as they were in Kona frequently to visit the [REDACTED]. Jaylin was good at staying in touch by phone. I had my initial visit on June 16, 1993. During that visit I administered the Denver Developmental Screening Test (DDST) to [REDACTED] and found no delays. Peter and Jaylin were both very loving and responsive to [REDACTED] needs.

On June 24, 1993 I did a Home Observation for Measurement of the Environment (HOME) to assess the parent/child interaction. This yielded a score of 39 out of a possible 45. This indicates the infant has a safe nurturing place to live with a responsive parent. Both Jaylin and Peter were receptive to my suggestions regarding appropriate play materials.

My most recent visit was August 3, 1993. I used the Nursing Child Assessment Feeding Scale (NCAFS) to further assess the mother/child interaction. This tool yielded a score of 71 out of 76. This score shows that Jaylin is very responsive to and nurturing of [REDACTED] and [REDACTED] gives clear cues and responds to Jaylin. In the near future I will do a father/child interaction assessment. To date, I have observed Peter to also be responsive to and nurturing of [REDACTED]



A United Way Agency

EXHIBIT D

Jaylin, Peter Kema

In summary, I have found Peter and Jaylin to be receptive to me in my role as nurse with MIST after an initial reluctance. As time goes on, they have become increasingly open and relaxed. My visits have all been positive with much nurturing and love on their part towards their infant. If you have any further questions please do not hesitate to call myself or Ros Surtees, MIST manager.

Sincerely,

Betty "DD" Hackley, RN

Betty "DD" Hackley, RN, BSN, C
Mother Infant Support Team
(MIST) Nurse

RSurtees.

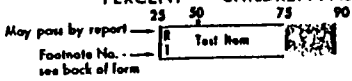
Ros Surtees, CQSW (MSW)
Mother Infant Support Team
(MIST) Manager

BH:RS/klc

DENVER DEVELOPMENTAL SCREENING TEST

STO.=STOMACH
SIT=SITTING

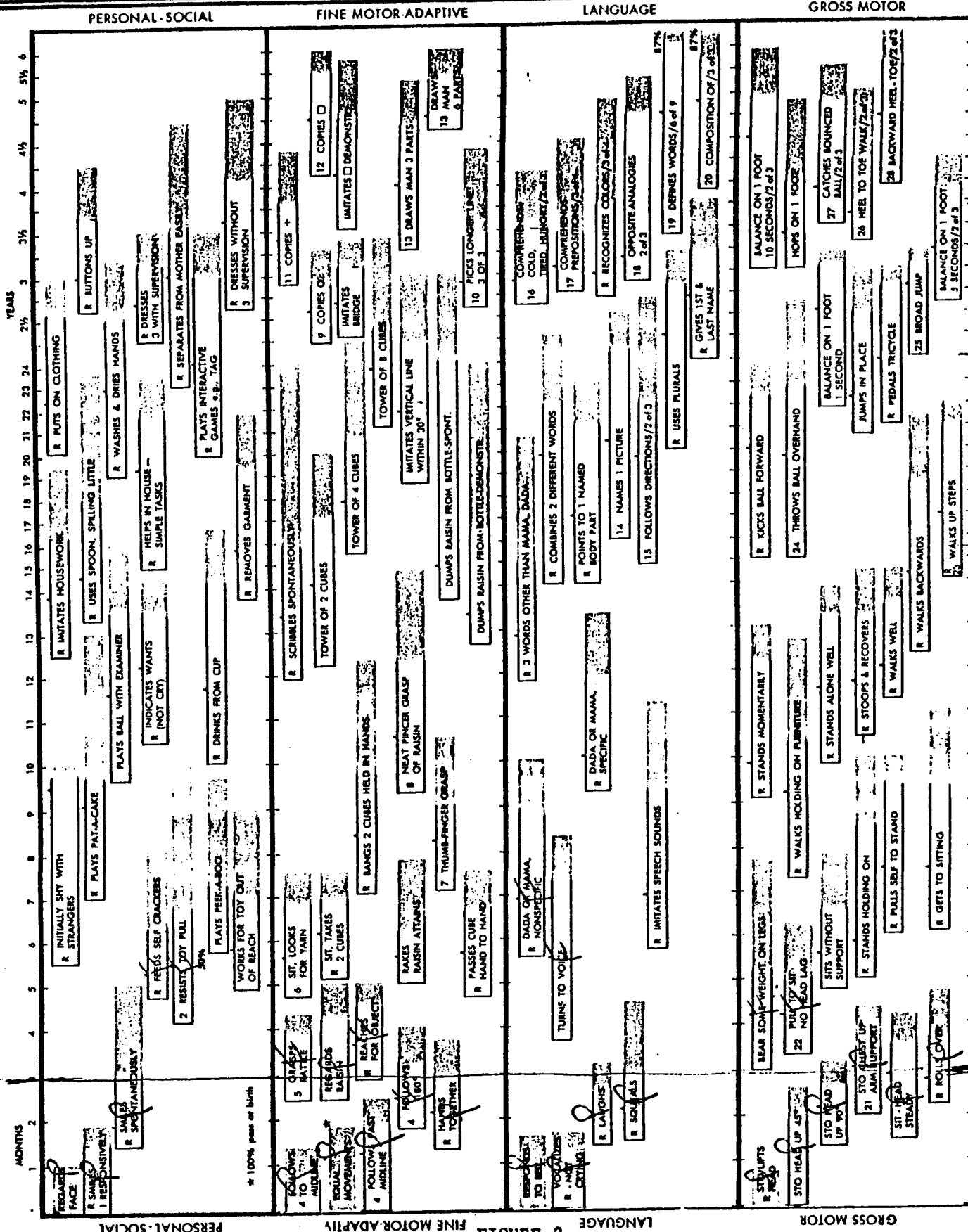
PERCENT CHILDREN PASSING



Date
Name
Birthdate
Hosp. No.

10-10-10
93-3-10
3-6

6-16-93 100 days - 1 year old



Months 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56

FIGURE 2 LANGUAGE FINE MOTOR-ADAPTIVE GROSS MOTOR PERSONAL-SOCIAL

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NURSING CHILD ASSESSMENT TRAINING

PERSON OBSERVED (CIRCLE) MOTHER FATHER OTHER
MAJOR CAREGIVER (CIRCLE) YES NO
MOTHER'S EDUCATION (CIRCLE) 8 YRS. OR LESS 7-8-9-10-11-12-13-14 15-16-17-18-19-20+
MARITAL STATUS (CIRCLE) MARRIED NOT MARRIED

HOME OBSERVATION FOR MEASUREMENT
OF THE ENVIRONMENT
(BIRTH TO THREE YEARS)

RECORDER'S NAME Pat Mackley RN
DATE 6-24-93

CHILD'S FIRST NAME [REDACTED]
CHILD'S AGE (IN MONTHS) [REDACTED]
CHILD'S SEX [REDACTED]
MOTHER'S RACE Phil-Chin
PARITY 5
MOTHER'S AGE (AT BIRTH OF CHILD) 22

	YES	NO
I. EMOTIONAL AND VERBAL RESPONSIVITY OF MOTHER		
1. MOTHER SPONTANEOUSLY VOCALIZES TO CHILD AT LEAST TWICE DURING VISIT (EXCLUDING SCOLDING).	✓	
2. MOTHER RESPONDS TO CHILD'S VOCALIZATIONS WITH VERBAL RESPONSE.	✓	
3. MOTHER TELLS CHILD THE NAME OF SOME OBJECT DURING VISIT OR SAYS NAME OF PERSON OR OBJECT IN A "TEACHING STYLE."		✓
4. MOTHER'S SPEECH IS DISTINCT, CLEAR AND AUDIBLE.	✓	
5. MOTHER INITIATES VERBAL INTERCHANGES WITH OBSERVER—ASKS QUESTIONS, MAKES SPONTANEOUS COMMENTS.	✓	
6. MOTHER EXPRESSES IDEAS FREELY AND EASILY AND USES STATEMENTS OF APPROPRIATE LENGTH FOR CONVERSATIONS (E.G. GIVES MORE THAN BRIEF ANSWERS).	✓	
*7. MOTHER PERMITS CHILD OCCASIONALLY TO ENGAGE IN "MESSY" TYPES OF PLAY.	✓	
8. MOTHER SPONTANEOUSLY PRAISES THE CHILD'S QUALITIES OR BEHAVIOR TWICE DURING VISIT.	✓	
9. WHEN SPEAKING OF OR TO CHILD, MOTHER'S VOICE CONVEYS POSITIVE FEELING.	✓	
10. MOTHER CAresses OR KISSES CHILD AT LEAST ONCE DURING VISIT.	✓	
11. MOTHER SHOWS SOME POSITIVE EMOTIONAL RESPONSES TO PRAISE OF CHILD OFFERED BY VISITOR.	✓	
SUBSCALE TOTAL (NO. OF YES ANSWERS)		10
II. AVOIDANCE OF RESTRICTION AND PUNISHMENT		
12. MOTHER DOES NOT SHOUT AT CHILD DURING VISIT.	✓	
13. MOTHER DOES NOT EXPRESS OVERT ANNOYANCE WITH OR HOSTILITY TOWARD CHILD.	✓	
14. MOTHER NEITHER SLAPS NOR SPANKS CHILD DURING VISIT.	✓	
*15. MOTHER REPORTS THAT NO MORE THAN ONE INSTANCE OF PHYSICAL PUNISHMENT OCCURRED DURING THE PAST WEEK.	✓	
16. MOTHER DOES NOT SCOLD OR DEROGATE CHILD DURING VISIT.	✓	
17. MOTHER DOES NOT INTERFERE WITH CHILD'S ACTIONS OR RESTRICT CHILD'S MOVEMENTS MORE THAN 3 TIMES DURING MY VISIT.	✓	
18. AT LEAST TEN BOOKS ARE PRESENT AND VISIBLE.	✓	
*19. FAMILY HAS A PET. <u>fish</u>	✓	
SUBSCALE TOTAL (NO. OF YES ANSWERS)		8
III. ORGANIZATION OF ENVIRONMENT		
20. WHEN MOTHER IS AWAY, CARE IS PROVIDED BY ONE OF THREE REGULAR SUBSTITUTES.	✓	
21. SOMEONE TAKES CHILD INTO GROCERY STORE AT LEAST ONCE A WEEK.	✓	
22. CHILD GETS OUT OF HOUSE AT LEAST FOUR TIMES A WEEK.	✓	
23. CHILD IS TAKEN REGULARLY TO DOCTOR'S OFFICE OR CLINIC.	✓	
*24. CHILD HAS A SPECIAL PLACE IN WHICH TO KEEP HIS TOYS AND "TREASURES."	✓	

	YES	NO
IV. PROVISION OF APPROPRIATE PLAY MATERIAL		
25. CHILD'S PLAY ENVIRONMENT APPEARS SAFE AND FREE OF HAZARDS.	✓	
SUBSCALE TOTAL (NO. OF YES ANSWERS)		6
V. MATERNAL INVOLVEMENT WITH CHILD		
26. CHILD HAS SOME MUSCLE ACTIVITY TOYS OR EQUIPMENT.	✓	
27. CHILD HAS PUSH OR PULL TOY.	✓	
28. CHILD HAS STROLLER OR WALKER, KIDDIE CAR, SCOOTER, OR TRICYCLE.	✓	
29. MOTHER PROVIDES TOYS OR INTERESTING ACTIVITIES FOR CHILD DURING INTERVIEW.		✓
30. PROVIDES LEARNING EQUIPMENT APPROPRIATE TO AGE—CUDDLY TOY OR ROLE PLAYING TOYS.	✓	
31. PROVIDES LEARNING EQUIPMENT APPROPRIATE TO AGE—MOBILE, TABLE AND CHAIRS, HIGH CHAIR, PLAY PEN.	✓	
32. PROVIDES EYE-HAND COORDINATION TOYS—ITEMS TO GO IN AND OUT OF RECEPTACLE, FIT TOGETHER TOYS, BEADS.	✓	
33. PROVIDES EYE-HAND COORDINATION TOYS THAT PERMIT COMBINATIONS—STACKING OR NESTING TOYS, BLOCKS OR BUILDING TOYS.		✓
34. PROVIDES TOYS FOR LITERATURE AND MUSIC. <u>no music</u>		✓
SUBSCALE TOTAL (NO. OF YES ANSWERS)		6
VI. OPPORTUNITIES FOR VARIETY IN DAILY STIMULATION		
35. MOTHER TENDS TO KEEP CHILD WITHIN VISUAL RANGE AND TO LOOK AT HIM OFTEN.	✓	
36. MOTHER "TALKS" TO CHILD WHILE DOING HER WORK.	✓	
37. MOTHER CONSCIOUSLY ENCOURAGES DEVELOPMENTAL ADVANCE.	✓	
38. MOTHER INVESTS "MATURING TOYS" WITH VALUE VIA HER ATTENTION.	✓	
39. MOTHER STRUCTURES CHILD'S PLAY PERIODS.		✓
40. MOTHER PROVIDES TOYS THAT CHALLENGE CHILD TO DEVELOP NEW SKILLS.	✓	
SUBSCALE TOTAL (NO. OF YES ANSWERS)		5
VI. OPPORTUNITIES FOR VARIETY IN DAILY STIMULATION		
41. FATHER PROVIDES SOME CARETAKING EVERY DAY.	✓	
42. MOTHER READS STORIES AT LEAST THREE TIMES WEEKLY.	✓	
43. CHILD EATS AT LEAST ONE MEAL PER DAY WITH MOTHER AND FATHER.	✓	
44. FAMILY VISITS OR RECEIVES VISITS FROM RELATIVES (APPROX. ONCE A MONTH).	✓	
45. CHILD HAS THREE OR MORE BOOKS OF HIS OWN.		✓
SUBSCALE TOTAL (NO. OF YES ANSWERS)		4

*ITEMS WHICH MAY REQUIRE DIRECT QUESTIONS.

USUAL FEEDING TIME (CIRCLE)
YES NO

PERSON OBSERVED IN INTERACTION (CIRCLE)
MOTHER FATHER OTHER

MAJOR CAREGIVER (CIRCLE)
YES NO

TYPE OF FEEDING (CIRCLE)
BREAST BOTTLE SOLID

LENGTH OF FEEDING (CIRCLE)
10 OR LESS 10-20 20-30 30 OR MORE

SETTING (CIRCLE)
HOME CLINIC OTHER

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NURSING CHILD ASSESSMENT TRAINING

FEEDING SCALE

(BIRTH TO ONE YEAR)

RECORDER'S NAME DD Nadelly An

DATE 8-3-93

CHILD'S FIRST NAME [REDACTED]
CHILD'S AGE (IN MONTHS) [REDACTED]
CHILD'S SEX [REDACTED]
MOTHER'S RACE Fil-Chin
PARITY 5
MOTHER'S EDUCATION (CIRCLE)
6 YRS. OR LESS 7-8-9-10-11 12-13-14-15-16-17-18-19-20+
MARITAL STATUS (CIRCLE)
MARRIED NOT MARRIED
MOTHER'S AGE (AT BIRTH OF CHILD) 22

YES NO

	YES	NO
I. SENSITIVITY TO CUES		
1. PARENT POSITIONS CHILD SO THAT CHILD IS SAFE BUT CAN MOVE HIS ARMS.	✓	
2. PARENT POSITIONS CHILD SO THAT THE CHILD'S HEAD IS HIGHER THAN HIPS.	✓	
3. PARENT POSITIONS CHILD SO THAT TRUNK-TO-TRUNK CONTACT IS MAINTAINED DURING MORE THAN HALF OF THE BREAST OR BOTTLE FEEDING (50%).	✓	
4. PARENT POSITIONS CHILD SO THAT EYE-TO-EYE CONTACT IS POSSIBLE.	✓	
5. PARENT'S FACE IS AT LEAST 7-8 INCHES OR MORE FROM THE CHILD'S FACE DURING FEEDING EXCEPT WHEN KISSING, CARESSING, HUGGING OR BURPING THE CHILD.	✓	
6. PARENT SMILES, VERBALIZES, OR MAKES EYE CONTACT WITH CHILD WHEN CHILD IS IN OPEN-FACE-GAZE POSITION.	✓	
7. PARENT COMMENTS VERBALLY ON CHILD'S HUNGER CUES PRIOR TO FEEDING.	✓	
8. PARENT COMMENTS VERBALLY ON CHILD'S SATIATION CUES BEFORE TERMINATING FEEDING.		✓
9. PARENT VARIES THE INTENSITY OF VERBAL STIMULATION DURING FEEDING.	✓	
10. PARENT VARIES INTENSITY OF ROCKING OR MOVING THE CHILD DURING THE FEEDING.	✓	
11. PARENT VARIES THE INTENSITY OF TOUCH DURING THE FEEDING.	✓	
12. PARENT ALLOWS PAUSES IN FEEDING WHEN THE CHILD INDICATES BY CRY FACE, HALT HAND, BACK ARCHING, PULLING AWAY, PUSHING FOOD AWAY, TRAY POUNDING, TURNING HEAD, SHAKING HEAD NO OR SAYING "NO" OR FALLING ASLEEP OR WHEN CHILD IS IN PAUSE PHASE OF THE BURST-PAUSE SEQUENCE OF SUCKING (75% OF THE TIME).	✓	
13. PARENT SLOWS PACE OF FEEDING OR PAUSES WHEN CHILD AVERTS GAZE, PLACES HAND-TO-EAR, HAND-TO-MOUTH, HAND-BEHIND-HEAD, HAND-BACK-OF-NECK, HANDS OVER STOMACH, YAWNS, RUBS EYE OR DISPLAYS FEET MOVEMENT (75% OF THE TIME).	✓	
14. PARENT TERMINATES THE FEEDING WHEN THE CHILD TURNS HEAD, FALLS ASLEEP, COMPRESSES LIPS, PUSHES FOOD AWAY, SHAKES HEAD "NO" OR SAYS "NO," ONCE OR MORE OR AFTER OTHER METHODS (REPOSITIONING, BURPING, OR WAITING) HAVE PROVED UNSUCCESSFUL.	✓	
*15. PARENT DOES NOT INTERRUPT CHILD'S SUCKING OR CHEWING BY REMOVING THE NIPPLE, JIGGLING THE NIPPLE, OR OFFERING THE CHILD MORE OR OTHER KINDS OF FOOD WHILE CHILD IS EATING.	✓	
*16. PARENT DOES NOT OFFER FOOD WHEN THE CHILD LOOKS AWAY, LOOKS DOWN, TURNS AWAY OR TURNS AROUND.	✓	
SUBSCALE TOTAL (NO. OF YES ANSWERS)	15	

	YES	NO
II. RESPONSE TO DISTRESS (INDICATE IN BOX WHETHER OCCURRED OR NOT. IF NO DISTRESS, MARK EACH BOX "YES") IF CHILD SHOWS DISTRESS DURING THE FEEDING DOES THE PARENT:		
17. STOP OR START FEEDING IN RESPONSE TO THE CHILD'S DISTRESS.	✓	
18. CHANGE THE CHILD'S POSITION IN RESPONSE TO CHILD'S DISTRESS.	✓	
19. MAKE POSITIVE OR SYMPATHETIC VERBALIZATION IN RESPONSE TO CHILD'S DISTRESS.	✓	
20. CHANGES VOICE VOLUME TO SOFTER OR HIGHER PITCH IN RESPONSE TO CHILD'S DISTRESS.	✓	
21. MAKES SOOTHING NON-VERBAL EFFORTS IN RESPONSE TO CHILD'S DISTRESS.	✓	
22. DIVERTS CHILD'S ATTENTION BY PLAYING GAMES, INTRODUCING A TOY, OR MAKING FACES IN RESPONSE TO CHILD'S DISTRESS.		✓
23. PARENT DOES NOT MAKE NEGATIVE VERBAL RESPONSE IN RESPONSE TO CHILD'S DISTRESS.	✓	
24. PARENT DOES NOT MAKE NEGATIVE COMMENTS TO HOME VISITOR ABOUT CHILD IN RESPONSE TO CHILD'S DISTRESS.	✓	

*NEED ONLY OCCUR ONCE TO SCORE "NO."

YES NO

25. PARENT DOES NOT YELL AT THE CHILD IN RESPONSE TO HIS DISTRESS.	✓	
26. PARENT DOES NOT USE ABRUPT MOVEMENTS OR ROUGH HANDLING IN RESPONSE TO CHILD'S DISTRESS.	✓	
27. PARENT DOES NOT SLAP, HIT, OR SPANK CHILD IN RESPONSE TO DISTRESS.	✓	
SUBSCALE TOTAL (NO. OF YES ANSWERS)	10	
III. SOCIAL-EMOTIONAL GROWTH FOSTERING		
28. PARENT PAYS MORE ATTENTION TO CHILD DURING FEEDING THAN TO OTHER PEOPLE OR THINGS IN ENVIRONMENT.	✓	
29. PARENT IS IN EN FACE POSITION FOR MORE THAN HALF OF THE FEEDING (50%).	✓	
30. PARENT SUCCEEDS IN MAKING EYE CONTACT WITH CHILD ONCE DURING FEEDING.	✓	
31. PARENT'S FACIAL EXPRESSION CHANGES AT LEAST TWICE DURING FEEDING.	✓	
32. PARENT ENGAGES IN SOCIAL FORMS OF INTERACTION (PLAYS GAMES WITH CHILD) AT LEAST ONCE DURING THE FEEDING.	✓	
33. PARENT USES POSITIVE STATEMENTS IN TALKING TO CHILD DURING THE FEEDING.	✓	
34. PARENT PRAISES CHILD OR SOME QUALITY OF THE CHILD'S BEHAVIOR DURING THE FEEDING.	✓	
35. PARENT HUMS, CROONS, SINGS OR CHANGES THE PITCH OF HIS/HER VOICE DURING THE FEEDING.	✓	
36. PARENT LAUGHS OR SMILES DURING THE FEEDING.	✓	
37. PARENT USES GENTLE FORMS OF TOUCHING DURING THE FEEDING.	✓	
38. PARENT SMILES, VERBALIZES OR TOUCHES CHILD WITHIN 5 SECONDS OF CHILD SMILING OR VOCALIZING AT PARENT.	✓	
39. PARENT DOES NOT COMPRESS LIPS, GRIMACE, OR FROWN WHEN MAKING EYE CONTACT WITH CHILD.	✓	
40. PARENT DOES NOT SLAP, HIT, SHAKE, OR GRAB CHILD OR CHILD'S EXTREMITIES DURING THE FEEDING.	✓	
41. PARENT DOES NOT MAKE NEGATIVE OR UNCOMPLIMENTARY REMARKS TO THE CHILD OR HOME VISITOR ABOUT THE CHILD OR CHILD'S BEHAVIOR.	✓	
SUBSCALE TOTAL (NO. OF YES ANSWERS)	14	
IV. COGNITIVE GROWTH FOSTERING		
42. PARENT PROVIDES CHILD WITH OBJECTS, FINGER FOODS, TOYS, AND/OR UTENSILS		✓
43. PARENT ENCOURAGES AND/OR ALLOWS THE CHILD TO EXPLORE THE BREAST, BOTTLE, FOOD, CUP, BOWL OR THE PARENT DURING FEEDING.	✓	
44. PARENT TALKS TO THE CHILD USING TWO WORDS AT LEAST THREE TIMES DURING THE FEEDING.	✓	
45. PARENT VERBALLY DESCRIBES SOME ASPECT OF THE FOOD OR FEEDING SITUATION TO CHILD DURING FEEDING.		✓
46. PARENT TALKS TO CHILD ABOUT THINGS OTHER THAN FOOD, EATING, OR THINGS RELATED TO THE FEEDING.	✓	
47. PARENT USES STATEMENTS THAT DESCRIBE, ASK QUESTIONS OR EXPLAINS CONSEQUENCES OF BEHAVIOR MORE THAN COMMANDS IN TALKING TO THE CHILD.	✓	
48. PARENT VERBALIZES TO CHILD WITHIN FIVE SECONDS AFTER CHILD HAS VOCALIZED.	✓	
49. PARENT VERBALIZES TO CHILD WITHIN FIVE SECONDS AFTER CHILD'S MOVEMENT OF ARMS, LEGS, HANDS, HEAD, TRUNK.	✓	
50. PARENT DOES NOT TALK BABY TALK.	✓	
SUBSCALE TOTAL (NO. OF YES ANSWERS)	7	

	YES	NO
V. CLARITY OF CUES		
61. CHILD SIGNALS READINESS TO EAT.	<input checked="" type="checkbox"/>	
62. CHILD DISPLAYS A BUILD-UP OF TENSION AT THE BEGINNING OF FEEDING.	<input checked="" type="checkbox"/>	
63. CHILD DEMONSTRATES A DECREASE IN TENSION WITHIN A FEW MINUTES AFTER FEEDING HAS BEGUN.	<input checked="" type="checkbox"/>	
64. CHILD HAS PERIODS OF ALERTNESS DURING THE FEEDING.	<input checked="" type="checkbox"/>	
65. CHILD DISPLAYS AT LEAST TWO DIFFERENT EMOTIONS DURING THE FEEDING.	<input checked="" type="checkbox"/>	
66. CHILD HAS PERIODS OF ACTIVITY AND INACTIVITY DURING THE FEEDING.	<input checked="" type="checkbox"/>	
67. CHILD'S MOVEMENTS ARE SMOOTH AND COORDINATED DURING THE FEEDING.	<input checked="" type="checkbox"/>	
68. CHILD'S ARM AND LEG MOVEMENTS ARE GENERALLY DIRECTED TOWARD PARENT DURING FEEDING (NOT DIFFUSE).	<input checked="" type="checkbox"/>	
69. CHILD MAKES CONTACT WITH PARENT'S FACE OR EYES AT LEAST ONCE DURING FEEDING.	<input checked="" type="checkbox"/>	
70. CHILD VOCALIZES DURING FEEDING.	<input checked="" type="checkbox"/>	
71. CHILD SMILES OR LAUGHS DURING FEEDING.	<input checked="" type="checkbox"/>	
72. CHILD AVERTS GAZE, LOOKS DOWN OR TURNS AWAY DURING FEEDING.	<input checked="" type="checkbox"/>	
73. CHILD ACTIVELY RESISTS FOOD OFFERED.	<input checked="" type="checkbox"/>	
74. CHILD DEMONSTRATES SATISFACTION AT END OF FEEDING THROUGH SLEEP, FACIAL EXPRESSIONS, DECREASED MUSCLE TONE, ARMS EXTENDED ALONG SIDE, VOCALIZATIONS OR CHANGE IN ACTIVITY LEVEL OR MOOD.	<input checked="" type="checkbox"/>	
75. CHILD DOES NOT HAVE MORE THAN TWO RAPID STATE CHANGES DURING FEEDING.	<input checked="" type="checkbox"/>	
SUBSCALE TOTAL (NO. OF YES ANSWERS)	15	

VI. RESPONSIVENESS TO PARENT		
66. CHILD RESPONDS TO FEEDING ATTEMPTS BY PARENT DURING FEEDING.	<input checked="" type="checkbox"/>	
67. CHILD RESPONDS TO GAMES, SOCIAL PLAY OR SOCIAL CUES OF PARENT DURING FEEDING.	<input checked="" type="checkbox"/>	
68. CHILD LOOKS IN THE DIRECTION OF THE PARENT'S FACE AFTER PARENT HAS ATTEMPTED TO ALERT THE CHILD VERBALLY OR NON-VERBALLY DURING FEEDING.	<input checked="" type="checkbox"/>	
69. CHILD VOCALIZES TO PARENT DURING FEEDING.	<input checked="" type="checkbox"/>	
70. CHILD VOCALIZES OR SMILES WITHIN 5 SECONDS OF PARENT'S VOCALIZATION.	<input checked="" type="checkbox"/>	
71. CHILD SMILES AT PARENT DURING FEEDING.	<input checked="" type="checkbox"/>	
72. CHILD EXPLORES PARENT OR REACHES OUT TO TOUCH PARENT DURING FEEDING.	<input checked="" type="checkbox"/>	
73. CHILD SHOWS A CHANGE IN LEVEL OF MOTOR ACTIVITY WITHIN 5 SECONDS OF BEING HANDLED OR REPOSITIONED BY PARENT.	<input checked="" type="checkbox"/>	
74. CHILD SHOWS POTENT DISENGAGEMENT CUES DURING LAST HALF OF FEEDING.	<input checked="" type="checkbox"/>	
75. CHILD SHOWS POTENT DISENGAGEMENT CUES WITHIN 5 SECONDS AFTER PARENT MOVES CLOSER THAN 7 TO 8 INCHES FROM CHILD'S FACE.		<input checked="" type="checkbox"/>
76. CHILD DOES NOT TURN AWAY OR AVERT GAZE FROM PARENT DURING FIRST HALF OF FEEDING.	<input checked="" type="checkbox"/>	
SUBSCALE TOTAL (NO. OF YES ANSWERS)	10	

ENTER TOTALS	CATEGORY:
	SENSITIVITY TO
	RESPONSE TO DISTRESS
	SOCIAL-EMOTIONAL GROWTH FOSTERING
	COGNITIVE GROWTH FOSTERING
	CLARITY OF CUES
	RESPONSIVENESS TO PARENT
	TOTAL (NO. OF YES ANSWERS)
	15
	10
	14
	7
	15
	10
	71

HOME VISIT QUESTIONS:

1. WOULD YOU SAY THIS WAS A TYPICAL FEEDING?

A. YES B. NO
IF NO, WHY NOT?

2. WERE YOU UNCOMFORTABLE DURING ANY PART OF THE FEEDING DUE TO MY PRESENCE?

A. YES B. NO
IF YES, WHY?

3. DO YOU HAVE ANY CONCERNS ABOUT THE FEEDING OR YOUR CHILD'S EATING?

A. YES B. NO
IF YES, SPECIFY.

4. OBSERVER'S COMMENTS:

(+) Parent-child interaction
mom very good at responds
to baby cues - good ref
to verbalizations

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USA
(206) 543-8528

ENTER TOTALS FOR EACH CATEGORY:	
EMOTIONAL AND VERBAL RESPONSIVITY OF MOTHER	10
AVOIDANCE OF RESTRICTION AND PUNISHMENT	8
ORGANIZATION OF ENVIRONMENT	6
PROVISION OF APPROPRIATE PLAY MATERIAL	6
MATERNAL INVOLVEMENT WITH CHILD	5
OPPORTUNITIES FOR VARIETY IN DAILY STIMULATION	4
TOTAL SCORE (NO. OF YES ANSWERS)	39

EXAMPLES OF SELECTED QUESTIONS FOR THE HOME (BIRTH-3 YEARS)

SECTION I. EMOTIONAL AND VERBAL RESPONSIVITY OF MOTHER

ITEM 7. MESSINESS: "DOES HE SOMETIMES WANT TO PLAY IN HIS FOOD OR IN HIS BATH? OR
"DO YOU SOMETIMES LET HIM PLAY AND BE MESSY?"

SECTION II: AVOIDANCE OF RESTRICTION AND PUNISHMENT

ITEM 15. DISCIPLINE: HOW DO YOU MANAGE HIS DISCIPLINE AT THIS AGE—WHAT WORKS THE BEST? IN GENERAL, DOES HE MIND PRETTY WELL, OR DO YOU HAVE TO OCCASIONALLY SLAP HIS HANDS OR PHYSICALLY PUNISH HIM IN SOME WAY?
IF YES: PROBE FOR NUMBER OF TIMES IN THE PAST WEEK.

SECTION III: ORGANIZATION OF ENVIRONMENT

ITEM 20. "HOW ABOUT YOUR TIME OUTSIDE THE HOME AND AWAY FROM YOUR CHILD; DO YOU HAVE A REGULAR SITTER THAT YOU CAN COUNT ON OR DO YOU HAVE TO GET SOMEONE DIFFERENT EACH TIME?"
PROBE FOR: GROCERY STORE (ONCE A WEEK)
RELATIVES (MONTHLY)

ITEM 21 & 22. HOW ABOUT HIS TIME OUT OF THE HOME; WHERE ARE SOME OF THE PLACES YOU TAKE HIM AND ABOUT HOW OFTEN DOES HE GET OUT OF THE HOUSE EACH WEEK?
PROBE FOR: GROCERY STORE (ONCE PER WEEK)
RELATIVES (MONTHLY)

ITEM 24. SPECIAL PLACE FOR TOYS: USUALLY ASK THIS AT THE END OF THE INTERVIEW SAYING, "I'M INTERESTED IN SEEING SOME OF YOUR CHILD'S TOYS, WHERE HE KEEPS THEM AND SOME OF HIS FAVORITE THINGS TO PLAY WITH."

SECTION V. MATERNAL INVOLVEMENT WITH CHILD (C/IT)

ENT WITH CHILD (ING AT CHILD'S TOYS).

"DO YOU SOMETIMES FIND YOURSELF MAKING CONVERSATION WITH HIM WHILE YOU'RE WORKING AROUND THE HOUSE, OR IS HE USUALLY ASLEEP WHILE YOU'RE DOING YOUR HOUSEWORK?"

ITEM 37. "WHAT ARE SOME OF THE THINGS YOU'RE HELPING YOUR CHILD TO LEARN AT THIS AGE?"
PROBE FOR: DEVELOPMENT AGE APPROPRIATE THINGS, I.E. SELF-FEEDING, WALKING, ETC.

ITEM 38. "HOW DOES HE USUALLY GET STARTED PLAYING WITH A NEW TOY—DO YOU SHOW HIM HOW TO WORK IT AND TRY TO GET HIM INVOLVED WITH IT OR DOES HE USUALLY FIGURE IT OUT FOR HIMSELF?"

ITEM 39. "ON A DAY TO DAY BASIS, HOW DOES HE GET STARTED PLAYING WITH HIS TOYS? DO YOU SOMETIMES SIT AND PLAY WITH HIM OR DOES HE USUALLY GET STARTED BY HIMSELF AND PLAY ALONE?"

ITEM 40. "HOW DO YOU USUALLY DECIDE WHAT KINDS OF TOYS TO SELECT AND OFFER YOUR CHILD TO PLAY WITH AT THIS AGE—WHAT ARE SOME OF YOUR GUIDELINES?"

LISTEN FOR TOYS THAT WILL CHALLENGE CHILD TO DEVELOP NEW SKILLS.

SECTION VI. OPPORTUNITIES FOR VARIETY IN DAILY STIMULATION

ITEM 45 & 42. HOW ABOUT BOOKS, DOES HE HAVE SOME OF HIS OWN YET?
PROBE FOR: NUMBER OF HIS OWN BOOKS.

"DOES HE SOMETIMES LIKE FOR YOU TO READ TO HIM?"
IF YES: "HOW MANY TIMES A WEEK DO YOU HAVE TIME TO DO THAT?"

ITEM 43. "WHAT DOES HE DO WHILE YOU AND YOUR HUSBAND EAT YOUR MEALS? DOES HE USUALLY EAT WITH YOU OR DOES HE EAT AT ANOTHER TIME?"

*(+) Parent/child interaction
receptive to suggestions*

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(206) 543-8528

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on August 16, 1993, a copy of the foregoing was duly served by the methods below to the following individuals:

	<u>Hand Delivery</u>	<u>U. S. Mail</u>
KRIS A. LAGUIRE, ESQ. Attorney for Mother	X	
CELIA A. URION, ESQ. [REDACTED]		X
STEVEN D. STRAUSS, ESQ. Attorney for Father Peter Kema, Sr.		X
EDITH K. RADL, ESQ. Guardian Ad Litem		X
PETER K. KUBOTA, ESQ. [REDACTED]		X

DATED: Hilo, Hawaii, August 16, 1993.



ALEY K. AUNA, JR.
Deputy Attorney General

COPY

ROBERT A. MARKS 2163
Attorney General 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

FAMILY COURT
90 AUG 25 AM 9:52
J. LEIALOHA
CLERK

Attorneys for the Department
of Human Services

IN THE FAMILY COURT OF THE THIRD CIRCUIT
STATE OF HAWAII


In the Interest of	)	FC-S NOS. 91-36
[REDACTED]	)	91-48
[REDACTED]	)	AMENDED ORDER RE: CHAPTER
[REDACTED]	)	587, H.R.S., AS AMENDED
[REDACTED]	)	[X] EXHIBIT "A"
PETER KEMA, JR.)	
Born on May 1, 1991)	
Children under the age of	)	HEARING: August 23, 1993
eighteen years.)	
	)	HONORABLE BEN H. GADDIS

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

The following parties and/or individuals were present:

- [] JAYLIN KEMA _____, Mother;
- [X] KRIS LAGUIRE _____, Counsel for Mother;
- [X] PETER KEMA, SR. _____, Father of Kema Child;
- [X] STEVEN STRAUS _____, Counsel for Mr. Kema;
- [X] [REDACTED] _____, Father of [REDACTED] Children;
- [X] CELIA URION _____, [REDACTED];
- [X] EDITH RADL _____, Guardian Ad Litem;
- [X] [REDACTED] _____, DHS Social Worker;
- [X] ALEY K. AUNA, JR. _____, Deputy Attorney General;
- [X] [REDACTED] _____, [REDACTED];
- [X] [REDACTED] _____, [REDACTED];
- [X] PETER KUBOTA _____, [REDACTED];

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


Clerk, Third Circuit Court, State of Hawaii

The following parties were not present at the hearing:

X JAYLIN KEMA

who were excused and are represented by counsel;

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 [redacted] family is willing and able to provide [redacted] with a safe family home, the Court finds that:

A Reasonable efforts are being made or have been made by DHS to make it possible for [redacted] to return to the family home;

B [redacted] family is ^{willing, but} not presently ~~willing~~ and able to provide [redacted] with a safe family home, even with the assistance of a service plan;

C Each term, condition, and consequence of the Service Plan and Agreement dated August 4, 1993 ~~(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 [redacted] with a safe family home within a reasonable period of time, 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 prior award of foster custody is continued;
- 2 All currently existent orders consistent herewith shall continue in full force and effect until further order of the Court;
- 3 All parties shall appear at a review hearing, which will be held on February 3, 1994 at 9:00 A.M., before the Honorable Ben H. Gaddis;

4 DHS and the GAL shall file their respective reports at least fifteen (15) days prior to the next hearing;

5 Each term, condition, and consequence of the Service Plan and Agreement dated August 4, 1993 (~~as amended~~) is hereby ordered by the Court and a copy is annexed hereto as Exhibit "A";

6 The following exhibits are admitted into evidence and made a part of the record, provided that the parties reserve the right to cross-examination thereon:

State's 1 DHS Safe Family Home Guidelines Report with exhibits, dated August 4, 1993, prepared by [REDACTED] Social Worker;

State's 2 Report of the Guardian Ad Litem dated August 16, 1993;

7 Any testimony by or other evidence produced by a party in this case is inadmissible pursuant to §5B7-42(a), H.R.S., as amended;

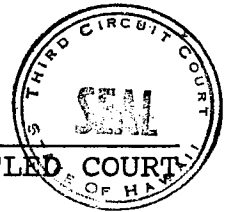
8 The adult parties shall not talk to [REDACTED] about the past abuse.

9 No one shall talk to [REDACTED] about visitation until a schedule has been approved by the parties.

DATED: Hilo, Hawaii, AUG 25 1993

BEN H. GADDIS

JUDGE OF THE ABOVE-ENTITLED COURT



APPROVED AS TO FORM:

[Handwritten Signature]
[Handwritten Signature]
Edith Kawai Rudolph
[Handwritten Signature]

[Handwritten Signature]

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

SERVICE PLAN AND AGREEMENT

Date: August 4, 1993

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

This Service Plan and Agreement is between Mrs. Jaylin Kema (a.k.a. Jaylin Acol), Mother, Mr. Peter Kema, Sr., Father of Peter Kema, Jr., [REDACTED] and the Department of Human Services (DHS).

I. REASON FOR AGENCY INVOLVEMENT:

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

[REDACTED] were placed out of the family home on May 8, 1991, and subsequently returned on June 26, 1991.

On August 11, 1991, Peter Kema, Jr., was admitted to Hilo Hospital with multiple fractures of varying ages, and [REDACTED] were taken into foster custody by DHS. The explanations offered by Mr. and Mrs. Kema did not satisfactorily explain the injuries.

This Service Plan and Agreement is intended to reduce the family stress, the risk of harm to [REDACTED] and work toward reunification of [REDACTED] with the family. Justification for the services addressed in this Service Plan are contained in the Safe Home Guidelines dated May 14, 1991, June 26, 1991, August 17, 1991, March 31, 1992, July 8, 1992, May 10, 1993 and August 4, 1993.

II. GOAL:

The primary goal is to reunite [REDACTED] with their parents in a safe family home no later than June, 1994.

The secondary goal is to provide [REDACTED] with a safe, stable, nurturing, alternative, permanent family home.

EXHIBIT "A"

III. OBJECTIVES:

TO GAIN EMPLOYMENT SUFFICIENT TO MAINTAIN HOUSING AND TRANSPORTATION

TO CONTINUE TO DEMONSTRATE BUDGET, RESOURCE, AND TIME MANAGEMENT SKILLS SUFFICIENT TO MAINTAIN HOUSING, TRANSPORTATION, FOOD AND CONTACT WITH THE CHILDREN

TO CONTINUE TO LEARN AND DEMONSTRATE APPROPRIATE INTERPERSONAL/RELATIONSHIP SKILLS

TO CONTINUE TO DEMONSTRATE AN ADEQUATE UNDERSTANDING OF THE CHILDREN'S NEEDS FOR ROUTINE, PREDICTABLE, POSITIVE CONTACT

TO CONTINUE TO DEVELOP AND DEMONSTRATE SELF ESTEEM, INDEPENDENCE AND COPING SKILLS SUFFICIENT TO MAINTAIN A STABLE ENVIRONMENT

TO LEARN AND DEMONSTRATE APPROPRIATE PARENTING SKILLS

TO CONTINUE TO MAINTAIN AN ENVIRONMENT FREE OF SUBSTANCE ABUSE

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

A. MR. PETER KEMA, Father, and MRS. JAYLIN KEMA, Mother, will:

1. Continue to maintain contact with the children by:

a. Continued telephone calls to the children as currently arranged between parents and caretakers [REDACTED].

b. Visiting the [REDACTED]

1) Parents will follow the written schedule of agreed upon visitations for the months of September, October and November, 1993, which are to be submitted to the DHS social worker on 08/23/93.

2) Visits are to take place on the scheduled weekends during the times arranged by the caretakers [REDACTED] and the parents.

Note: DHS social worker will maintain close contact with caretakers [REDACTED] and parents in order to

facilitate the beginning of unsupervised and overnight visits when such visits become appropriate.

- 3) If unable to keep scheduled visit, parents are to work out an alternate schedule with the caretakers. [REDACTED] Contact to arrange a visitation change is to be made with the caretaker [REDACTED] at least 48 hours prior to the scheduled visitation.
 - c. Visiting with [REDACTED] is for the purpose of reducing [REDACTED] anxieties about their parents, and maintaining a predictable, ongoing, nurturing relationship between [REDACTED] and parents.
2. Continue to participate in counseling with Kit Barthel, Ph.D.:
 - a. Continue to attend and participate in counseling as arranged by therapist.
 - b. Do 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) Anger management techniques;
 - 8) Resolution of Peter Jr.'s physical abuse;
 - 9) Other areas as assessed by therapist and agreed to by DHS and the Guardian ad Litem (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 counseling, 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 counseling.
3. Continue to participate in and successfully complete Mother/Infant Support Team (MIST) program at Family Support Services.
 - a. Not miss any session of the program without prior approval of the particular worker conducting the session.
 - b. Provide the DHS social worker with written proof of successful completion of the program.
 - c. Demonstrate an adequate understanding and utilization of skills developed in the MIST program.
 4. Allow MIST program workers to share information regarding progress in the various phases of the program when requested.
 5. Continue to 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 [REDACTED]
 6. Continue not to use any physical discipline with [REDACTED]
 7. Maintain regular contact with the DHS to discuss problems and progress with this Service Plan.
 - a. 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.

8. Allow 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, Father, will:

1. Seek and maintain appropriate employment.
 - a. Make enough money to pay rent, utilities and other essential bills sufficient to maintain housing adequate for yourself, your wife and [REDACTED]
 - b. If disabled, pursue treatment recommended to overcome or compensate for the identified disability.

C. The DHS will:

1. Monitor problems and progress with this Service Plan by maintaining contact, verbal, written, or face to face, with the service providers.
2. Maintain regular contact with family members through visits, phone calls, and collateral contacts.
3. Arrange other services as necessary, in consultation with the GAL.
4. Assess the effectiveness and utilization of services provided.
5. Maintain regular contact with [REDACTED] and the foster parent to assure appropriate care for [REDACTED] and appropriate support for the foster parent.
6. Facilitate the implementation of the visitation schedule as outlined in this Service Plan.
7. Encourage and facilitate participation of caretakers [REDACTED] and parents in "ho'oponopono" in an effort to "right the past" and strengthen the positive relationship which will be necessary in continuing to provide for the needs of [REDACTED] as the reunification progress continues.

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

A.

[REDACTED] will:

1. Maintain confidentiality with regards to [REDACTED] family and the abuse they have suffered, as far as you are able.
2. Continue to transport [REDACTED] Peter, Jr., to and from the doctor's office for routine and recommended therapy or examinations.
3. Encourage [REDACTED] to communicate with Jaylin and Peter by visiting, writing, phone calls, pictures, etc. subject to the approval of the DHS social worker in consultation with the GAL, if necessary.
4. Continue to establish clear rules for [REDACTED] and follow up with fair and consistent positive and negative consequences.
5. Continue to keep the social worker informed of any changes and new developments in [REDACTED] situation.
6. 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 [REDACTED] or your family.
 - a. Caretakers will follow the written schedule of agreed upon visitations for the months of September, October and November, 1993, which are to be submitted to the DHS social worker on 08/23/93.
 - b. Communicate directly with the parents to arrange for alternate scheduling of visits should an unexpected situation arise.

Note: Both caretakers [REDACTED] and parents have expressed the fact that they feel able to continue to work out adjustments to the visitation schedule among themselves. Should any problems arise during the period of time covered by this Service Plan and Agreement with regard to visitation, the DHS social worker and/or GAL will be contacted to mediate the situation.

c. If unable to keep scheduled weekend visit, caretakers are to contact parents at least 48 hours prior to the scheduled visitation in order to make arrangements for an alternate visitation weekend.

7. Continue to provide positive role modeling.
8. Maintain a neutral and fair attitude with respect to the issue of reunification or permanency planning.

Caretakers [REDACTED] are to continue to take special care that negative conversation and/or comments regarding [REDACTED] biological parents is not done within hearing range of [REDACTED] at any time. Caretakers are to encourage other members of their household to exercise like caution and restraint when talking about [REDACTED] parents.

9. Continue the visits between [REDACTED]

VI. ANCILLARY RESOURCES:

- A. Dr. Kit Barthel, Ph.D.
1811 Kamuela
Kamuela, Hawaii 96743
Telephone: 961-2525
- B. Family Support Services -
MIST/Parenting Classes
165 Keawe Street
Hilo, Hawaii 96720
Telephone: 961-3877

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 Mrs. Jaylin Kema and Mr. Peter Kema, Sr. substantially comply with their responsibilities to provide [REDACTED] 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 their home and a change of status to Family Supervision.

C. If Mrs. Jaylin Kema and/or Mr. Peter Kema, Sr. do not substantially comply with their responsibilities to provide [redacted] 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.

VIII. SERVICE PLAN REVIEW DATE:

This Service Plan shall be in effect until the next scheduled Court hearing, or until further order of the Court.

IX. SERVICE AGREEMENT:

The undersigned have read the foregoing Service Plan and Agreement and understand and agree to each and every term and condition stated herein.

Jaylin Kema Date
Mother

Peter Kema Sr. Date
Father of Peter Kema, Jr.

Date

Date

8/13/93
Date
Social Worker

I certify I have reviewed this document.

8/13/93
Date
Supervisor
Child Welfare Services II

Representing the Department
of Human Services

[redacted]

COPY

FAMILY COURT 3RD CIRCUIT
STATE OF HAWAII
FILED

ROBERT A. MARKS 2163
Attorney General of Hawaii

93 MAY 26 PM 1:35

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

J. LEIALOHA
CLERK

Attorneys for the Department
of Human Services

IN THE FAMILY COURT OF THE THIRD CIRCUIT

STATE OF HAWAII

In the Interest of	)	FC-S NOS. [REDACTED]
[REDACTED]	)	91-48
[REDACTED]	)	AMENDED ORDER RE: CHAPTER
[REDACTED]	)	587, H.R.S., AS AMENDED
[REDACTED]	)	[X] EXHIBIT "A"
PETER KEMA, JR.)	
Born on May 1, 1991)	
Children under the age of	)	HEARING: May 24, 1993
eighteen years.	)	HONORABLE BEN H. GADDIS

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

The following parties and/or individuals were present:

- [X] JAYLIN KEMA, Mother;
- [X] KRIS LAGUIRE TED HONG, Counsel for Mother;
- [X] PETER KEMA, SR., Father of Kema Child;
- [X] STEVEN STRAUS, Counsel for Mr. Kema;
- [] [REDACTED], Father of [REDACTED] Children;
- [X] CELIA URION, [REDACTED];
- [X] EDITH RADL, Guardian Ad Litem;
- [X] [REDACTED], DHS Social Worker;
- [X] ALEY K. AUNA, JR., Deputy Attorney General;
- [X] [REDACTED], [REDACTED];
- [X] [REDACTED], [REDACTED];
- [X] PETER KUBOTA, [REDACTED];

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

Clerk, Third Circuit Court, State of Hawaii

The following parties were not present at the hearing:

X

_____ who were excused and are represented by counsel;

Based upon the records and evidence presented, having fully considered all relevant prior and current information pertaining to the guidelines for determining whether _____ family is willing and able to provide _____ with a safe family home, and pursuant to §587-71(e), H.R.S., as amended, the Court finds that:

A Reasonable efforts are being made or have been made by DHS to make it possible for _____ to return to the family home;

B _____ family is not presently willing and able to provide _____ with a safe family home, even with the assistance of a service plan;

C Each term, condition, and consequence of the Service Plan and Agreement dated May 10, 1993 (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 _____ with a safe family home within a reasonable period of time, 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 prior award of foster custody is continued;

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

3 All parties shall appear at a review hearing, which will be held on August 23, 1993, at 10:30 A.M., before the Honorable Ben H. Gaddis;

4 DHS and the GAL shall file their respective reports at least fifteen (15) days prior to the next hearing;

5 Each term, condition, and consequence of the Service Plan and Agreement dated May 10, 1993 (as amended) is hereby ordered by the Court and a copy is annexed hereto as Exhibit "A";

6 The following exhibits are admitted into evidence and made a part of the record, provided that the parties reserve the right to cross-examination thereon:

State's 1 DHS Report-Safe Home Guidelines with exhibits, dated May 10, 1993, prepared by [REDACTED] Social Worker;

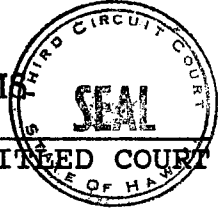
State's 2 First Report of the Guardian Ad Litem dated May 17, 1993;

State's _____
_____;

MAY 26 1993

DATED: Hilo, Hawaii, _____.

BEN H. GADDIS



JUDGE OF THE ABOVE-ENTITLED COURT

APPROVED AS TO FORM:

[Signature]
[Signature]

[Signature]
[Signature]
[Signature]

STATE OF HAWAII
DEPARTMENT OF HUMAN SERVICES
Family and Adult Services Division
Amended
SERVICE PLAN AND AGREEMENT

Date: May 10, 1993

Children'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 Mrs. Jaylin Kema (aka Jaylin Acol), mother, Mr. Peter Kema, Sr., father of Peter Kema, Jr., [REDACTED] and the Department of Human Services (DHS).

I. REASON FOR AGENCY INVOLVEMENT:

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

[REDACTED] were placed out of the family home on May 8, 1991, and subsequently returned on June 26, 1991.

On August 11, 1991, Peter Kema, Jr., was admitted to Hilo Hospital with multiple fractures of varying ages, and [REDACTED] were taken into foster custody by DHS. The explanations offered by Mr. and Mrs. Kema did not satisfactorily explain the injuries.

This Service Plan and Agreement is intended to reduce the family stress, the risk of harm to [REDACTED] and work toward reunification of [REDACTED] with the family. Justification for the services addressed in this Service Plan are contained in the Safe Home Guidelines dated May 14, 1991, June 26, 1991, August 17, 1991, March 31, 1992, July 8, 1992, and May 10, 1993.

II. GOAL:

The primary goal is to reunite [REDACTED] with their parents in a safe family home.

EXHIBIT "A"

The secondary goal is to provide [REDACTED] with a safe, stable, nurturing, alternative, permanent family home.

III. OBJECTIVES:

TO GAIN EMPLOYMENT SUFFICIENT TO MAINTAIN HOUSING AND TRANSPORTATION

TO CONTINUE TO DEMONSTRATE BUDGET, RESOURCE, AND TIME MANAGEMENT SKILLS SUFFICIENT TO MAINTAIN HOUSING, TRANSPORTATION, FOOD AND CONTACT WITH THE CHILDREN

TO CONTINUE TO LEARN AND DEMONSTRATE APPROPRIATE INTERPERSONAL/ RELATIONSHIP SKILLS

TO CONTINUE TO DEMONSTRATE AN ADEQUATE UNDERSTANDING OF THE CHILDREN'S NEEDS FOR ROUTINE, PREDICTABLE, POSITIVE CONTACT

TO CONTINUE TO DEVELOP AND DEMONSTRATE SELF ESTEEM, INDEPENDENCE AND COPING SKILLS SUFFICIENT TO MAINTAIN A STABLE ENVIRONMENT

TO LEARN AND DEMONSTRATE APPROPRIATE PARENTING SKILLS

TO CONTINUE TO MAINTAIN AN ENVIRONMENT FREE OF SUBSTANCE ABUSE

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

A. MR. PETER KEMA, father, and MRS. JAYLIN KEMA, mother will:

1. Continue to maintain contact with the children by:

- a. Continued telephone calls to the children as previously arranged between parents and caretakers [REDACTED]. Calls to the work place of [REDACTED] are not acceptable except in extreme emergency (auto accident, hospitalization, arrest, etc.)

Note: The parents are to be allowed to talk with [REDACTED] Peter Jr.

- b. Each call should have an identified purpose, i.e., [REDACTED] I'd like to talk with [REDACTED] for 3 minutes each, then talk with [REDACTED] about arranging a visit, if you have the time."

c. Each call to [REDACTED] should be short (no longer than 30 ~~to~~ minutes, an oven timer may be used as a time reminder) and positive (the caretakers may interrupt or end a call if [REDACTED] become upset).

d. Conversations between the parents and the [REDACTED] concerning visits, or problems, or disagreements, etc., should be separated from contact with [REDACTED]. [REDACTED] should not overhear or be affected by the adult conversations. Visits are to be arranged with the adults only, not through [REDACTED].

e. Visiting the children:

1) Parents will follow the written schedule of agreed upon visitations for the months of June, July and August, 1993, which are to be submitted to the DHS social worker on 05/24/93.

2) Visits are to take place on the scheduled weekends between 12:00 noon on Friday and 12:00 noon on Saturday.

Note: Supervision for Kona visits to be worked out between caretakers-[REDACTED] and DHS social worker.

3) If unable to keep scheduled visit, parents are to contact DHS social worker by 12:00 noon on the Tuesday before the scheduled visitation in Kona. DHS social worker will notify the caretakers [REDACTED] of visitation cancellation.

f. Visiting with [REDACTED] is for the purpose of reducing [REDACTED] anxieties about their parents, and maintaining a predictable, ongoing, nurturing relationship between [REDACTED] and parents. Visits, and telephone contacts are at the discretion of DHS, and may be increased, decreased, suspended, or otherwise changed by DHS to meet the children's needs, or to protect them.

2. Continue to participate in counselling with Dr. Kit Barthel, Ph.D.:
 - a. Continue to attend and participate in counselling as arranged by therapist.
 - b. Do 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) Anger management techniques;
 - 8) Resolution of Peter Jr.'s physical abuse;
 - 9) 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.
3. Continue to participate in and successfully complete MIST program at Family Support Services.
 - a. Not miss any session of the program without prior approval of the particular worker conducting the session.

- b. Provide the DHS social worker with written proof of successful completion of the program.
 - c. Demonstrate an adequate understanding and utilization of skills developed in the MIST program.
 4. Allow MIST program workers to share information regarding progress in the various phases of the program when requested.
 5. Make arrangements with Family Support Services to attend and participate in a parenting program.
 - a. Not miss any session of the program without prior approval of the program coordinator.
 - b. Provide the DHS social worker with written proof of successful completion of the program.
 6. Continue to 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 [REDACTED]
 7. Continue to not use any physical discipline with [REDACTED]
 8. Maintain regular contact with the DHS to discuss problems and progress with this Service Plan.
 - a. 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 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, father, will:

1. Seek and maintain employment.
 - a. Make enough money to pay rent, utilities and other essential bills sufficient to maintain housing adequate for yourself, your wife and [REDACTED]
 - b. If disabled, pursue treatment recommended to overcome or compensate for the identified disability.
2. Cooperate with the DHS in making an assessment as to the possible continued need for further services from Alternatives to Violence. (ATV)
 - a. Obtain written assessment from ATV stating whether or not continued attendance is indicated; provide letter to DHS no later than June 15, 1993.
 - b. If indicated in assessment letter, Father will return to ATV sessions until clinically discharged.

C. The DHS will:

1. Monitor problems and progress with this service plan by maintaining contact, verbal, written, or face to face, with the service providers.
2. Maintain regular contact with family members through visits, phone calls, and collateral contacts.
3. Arrange other services as necessary, in consultation with the GAL.
4. Assess the effectiveness and utilization of services provided.
5. Maintain regular contact with [REDACTED] and the foster parent to assure appropriate care for [REDACTED], and appropriate support for the foster parent.
6. Facilitate the implementation of the visitation schedule as outlined in this Service Plan.

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

A.

[REDACTED] will:

1. Maintain confidentiality with regards to [REDACTED] family and the abuse they have suffered, as far as you are able.
2. Continue to transport [REDACTED] Peter, Jr., to and from the doctor's office for routine and recommended therapy or examinations.
3. Encourage [REDACTED] to communicate with Jaylin and Peter by visiting, writing, phone calls, pictures, etc. subject to the approval of the DHS social worker in consultation with the GAL if necessary.
4. Continue to establish clear rules for [REDACTED] and follow up with fair and consistent positive and negative consequences.
5. Continue to keep the social worker informed of any changes and new developments in [REDACTED] situation.
6. 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 [REDACTED] or your family.
 - a. Caretakers will follow the written schedule of agreed upon visitations for the months of June, July and August, 1993, which are to be submitted to the DHS social worker on 05/24/93.
 - b. Time frame for weekend visitations in Hilo are to be finalized with the DHS social worker on the Tuesday preceding the scheduled visitation weekend; DHS social worker will relay information to the parents.
 - c. If unable to keep scheduled weekend visit, caretakers are to contact DHS social worker by 12:00 noon on the Tuesday before the scheduled visitation in Hilo. Arrangements for an alternate visitation weekend will be made at that time.

7. Inform the DHS social worker, as soon as possible, each time arrangements are made for Peter Kema Jr. to be brought to Hilo to visit [REDACTED]. DHS social worker will facilitate the arranging of a visit for the child with the parents during the time Peter Jr. is in Hilo.
8. Continue to provide positive role modeling.
9. Maintain a neutral and fair attitude with respect to the issue of reunification or permanency planning.

Caretakers [REDACTED] are to take special care that negative conversation and/or comments regarding [REDACTED] biological parents is not done within hearing range of [REDACTED] at any time. Caretakers are to encourage other members of their household to exercise like caution and restraint when talking about [REDACTED] parents.

10. Continue the visits between [REDACTED] and [REDACTED]

VI. ANCILLARY RESOURCES:

- A. Dr. Kit Barthel, Ph.D.
1811 Kamuela
Kamuela, HI 96743
Phone: 961-2525
- B. Family Support Services:
MIST/Parenting Classes
165 Keawe Street
Hilo, HI 96720
Phone: 961-3877
- C. Alternatives to Violence
P.O. Box 10488
Hilo, HI 96721
Phone: 969-7798

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 Mrs. Jaylin Kema and Mr. Peter Kema, Sr. substantially comply with their responsibilities to provide [REDACTED] 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 their home and a change of status to Family Supervision.
- C. If Mrs. Jaylin Kema and/or Mr. Peter Kema, Sr. do not substantially comply with their responsibilities to provide [REDACTED] 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.

VIII. SERVICE PLAN REVIEW DATE:

This Service Plan shall be in effect until the next scheduled Court hearing, or until further order of the court.

IX. SERVICE AGREEMENT:

The undersigned have read the foregoing Service Plan and Agreement and understand and agree to each and every term and condition stated herein.

Jaylin Kema Date
Mother

Peter Kema Sr. Date
Father of Peter Kema. Jr.

Date

Date

Date 5/12/93
Social Worker

I certify I have reviewed this document.

[Redacted Signature]

07/01/93
Date

Supervisor
Child Welfare Services II

Representing the Department
of Human Services

[Redacted]