

**IN THE CIRCUIT COURT OF GREENE COUNTY, MISSOURI
FAMILY COURT, JUVENILE DIVISION**

IN THE INTEREST OF:)	
)	
C.J.R.)	
(DOB: 30 MAY 2015))	Case No.
)	
A minor child under seventeen)	
years of age)	

JUDGMENT AND ORDER TERMINATING PARENTAL RIGHTS

This case preceded to a Termination of Parental Rights Hearing June 13 - 15, 2017. D.D., Deputy Juvenile Officer, appeared in person and with attorney P.S. The minor child appeared by his Guardian ad Litem, attorney C.H.. C.F.R., the mother of the minor child, appeared in person and with her attorney, T.G.. The mother’s Guardian ad Litem, attorney K.J. also appeared. The supervising agency, Springfield Partners, appeared by its duly authorized representative, S.B.

On June 13, 2017, C.J.R., father of the child, appeared by his attorney, M.S. After M.S. presented to the Court Father’s General Consent to Termination of Parental Rights and Adoption, the Court granted M.S.’s request to be excused from the remainder of the hearing.

FINDINGS OF FACT

The Court finds from clear, cogent and convincing evidence that:

1. The Circuit Court of Greene County, Missouri, Juvenile Division, has jurisdiction in this proceeding for termination of parental rights of the mother and father in, to, and over the minor child, C.J.R. (“child” or “minor child”).
2. C.J.R. is a male minor child born on , in Greene County, Missouri, and who was a resident of Greene County, Missouri and/or who was found in Greene County, Missouri, when he came into custody on or about August 19, 2015.

3. The mother of the minor child is C.F.R. (“mother”), whose date of birth is . The father of the child is C.J.R. (“father”), whose date of birth is .
4. The minor child was under the jurisdiction of this Court at the time Petitioner’s Petition to Terminate Parental Rights was filed. The mother, the father, the minor child’s legal and physical custodians, and the minor child’s guardian ad litem were all duly served with summons and a copy of Petitioner’s Petition to Terminate Parental Rights (either in person or by publication) along with a notice of this hearing as according to law.
5. The minor child has been under the care and supervision of this Court and in the temporary legal custody of the Missouri Children’s Division since on or about August 19, 2015, pursuant to an order of the Circuit Court of Greene County, Missouri, Juvenile Division, in Case Number . The Court took judicial notice of the appropriate contents of that court file in this termination proceeding.
6. Petitioner D.D. is not related to the child who is the subject of this Petition.
7. The minor child was adjudicated as neglected in a jurisdictional hearing held in the Circuit Court of Greene County, Missouri, Juvenile Division.
8. The Indian Child Welfare Act, 25 U.S.C. § 1901 et seq., does not apply in this matter. The minor child is not an Indian child within the meaning of said act.
9. On March 3, 2017, the father appeared before two adult witnesses and a Notary Public for the State of Missouri, at Springfield, Missouri, and under oath executed his General Consent to Termination of Parental Rights and Adoption in, to, and over the child. Having reviewed, approved, and accepted this document, and based upon the statements and representations made by father’s attorney, M.S., the Court finds father has knowingly, freely, and voluntarily consented in writing to the termination of his parental rights pursuant to Section 211.444 RSMo., as amended.
10. In compliance with Section 211.447 RSMO., this Court considers and makes findings on the following factors:
 - a. Pursuant to Section 211.447.5(2), RSMo., the Court finds by clear, cogent, and convincing evidence that the child has been neglected by the mother. In Case No. , the Circuit Court of Greene County, Missouri, Juvenile Division, entered findings and a judgment the child has been neglected by the mother. When the child came under juvenile court jurisdiction, the mother’s lack of parenting skills, the mother’s lack of protective capabilities for the child, the mother’s unsafe home environment, the child’s failure to thrive, and mother’s mental health issues were among the concerns. The issue now before this Court is whether those issues and other concerns remain today. The Court is very mindful past behavior can support grounds for termination if it is convincingly linked to predicted future behavior. Also, there must be some explicit consideration of whether the past acts provide an indication the likelihood of future harm.

As such, careful consideration is given to whether the Juvenile office has met its burden of proof to show that nexus.

11. The Court also considered and makes the following findings in compliance with Section 211.447.5(2) (a)-(d) RSMo.:

- a. Whether or not a parent suffers from a mental condition that is either permanent or has no reasonable likelihood of being reversed and that would render the parent unable to knowingly provide the child with the necessary care, custody and control. The Court is very mindful when termination is based on a parent's mental illness or deficiencies, great care must be taken to identify a causal connection between the disability and harm to a child before terminating parental rights. A mental or emotional condition must be analyzed in three prongs to make an adequate finding: (1) documentation—whether the condition is supported by competent evidence; (2) duration—whether the condition is permanent or such that there is no reasonable likelihood that it can be reversed; and (3) severity of effect—whether the condition is so severe as to render the parent unable to knowingly provide the child necessary care, custody or control. *In re K.A.W. 133 S.W.3d 1, 14 (Mo. banc 2004).*

It is clear to the Court this family was desperately in need of services at the time of the initial contact and later removal. Although the Mother was a foster child herself who was adopted by the E.'s, the E.'s had a great distrust and dislike initially for those attempting to render assistance. The Court finds the testimony highly credible that both the Mother and her adoptive parents were placing the needs of the Mother before those the child at the time of the removal. However, a termination of parental rights on grounds of mental illness requires substantial evidence the incapacity is so severe it renders the parent incapable of providing minimally acceptable care.

In considering whether the Juvenile Office showed substantial evidence of a severe incapacity, the Court first considered the testimony of Dr. M.B. Dr. M.B. had examined the Mother previously when she was herself a protected juvenile receiving services. It was very clear from his testimony that he was kind and compassionate to the Mother both as a child and now as an adult and mother of the infant in question.

In October and November, 2015, Dr. M.B. conducted a Psychological Evaluation of the mother. At that time, Dr. M.B. diagnosed mother as having mental conditions which included, but not limited to, Intellectual Developmental Delays, Depressive Disorder NOS, Posttraumatic Stress Disorder (Sexual Abuse as a Child, Chaotic Home Environment with biological mother), and Dependent Personality Disorder. Dr. M.B. opined that mother's Full Scale I.Q. was 64, which placed the mother in the Intellectual Delayed Range.

Dr. M.B. reported mother's psychological profile suggests she has low energy, depression, and naivety in terms of child care or protection. Dr. M.B. described

the mother as a person with limited cognitive ability, learning problems, and a self-reported difficult childhood.

Dr. M.B. further reported the mother presented as somewhat functionally incapacitated in terms of providing protection, emotional support, guidance, and nurturance for a child. Dr. M.B. opined he would be very concerned about the mother as a primary caretaker, because the mother could be overwhelmed or easily discouraged.

In February 2017, Dr. M.B. conducted a second Psychological Evaluation of the mother. In February 2017, mother reported to Dr. M.B. she was taking Prozac for her depression and Lemetridine for seizures. The mother also reported to Dr. M.B. that she was working with M.B.II on relationship issues. At that time Dr. M.B. diagnosed the mother as having mental conditions, including but limited to, Major Depressive Disorder, Recurrent, Intellectual Developmental Delays (Formerly Mild Mental Retardation), Posttraumatic Stress Disorder (Sexual Abuse as a Child, Chaotic Home Environment with biological mother), and Dependent Personality Disorder. In February 2017, Dr. M.B. reported that mother's Full Scale I.Q. was 61.

Dr. M.B. opined the mother is a disabled young woman with intellectual limitations. Dr. M.B. reported the mother's profile was very similar to his initial evaluation conducted in October and November of 2015. Dr. M.B. further reported the mother continues to be highly dependent on the E. family. Dr. M.B. opined in many ways the mother needs a guardian and someone to look after her indefinitely. Dr. M.B. could not recommend the mother for parenting, because the mother alone does not meet minimum parenting standards to care for a child.

Therefore, considering the testimony noted above, competent evidence was offered to show the mother suffers from a permanent mental condition, which has no reasonable likelihood of being reversed. As such, the Court then turns to the final part of the analysis necessary, which is to consider the severity of the effect, in that a determination must be made whether her mental condition would render the parent unable to knowingly provide the child with the necessary care, custody and control. Much testimony was received regarding the mother's inability to parent alone. However, a mental condition that renders a parent unable to provide adequate care for a child alone does not provide a basis for termination if the parent has access to additional support because parenting is frequently a group effort. *In re A.S.W.*, 137 S.W. 3d 448, 453(Mo.2004). "It is because of the frequently group nature of parenting that Section 211.447 does not allow for the termination of parental right simply because a parent cannot shoulder the entire burden of raising a child on his or her own." *Id.* After each of Dr. M.B. opinions noted above, at the time of trial and in his written report, he opined the mother could function as an auxiliary parent in a well-functioning household. In fact, he stated he was hopeful she could function in that capacity. When asked by the Juvenile Office whether he had any safety concerns about placing the child with the Mother, he testified, "I don't know." He testified he

felt parenting would be possible if she lived next to, or in conjunction, with close relatives that could help her and that would alleviate some of the concerns. He felt being an auxiliary parent was a safer option at this point. Nothing in Dr. M.B.'s testimony provide the Court with clear, cogent, and convincing evidence that would instantly tilt the scales in favor of termination.

S.B. testified she managed this case for nine months prior to the hearing of the matter. The Court felt she had the most relevant in-time information and placed great weight on her testimony. She testified the Mother did follow through with a majority of Dr. M.B.'s recommendations. The Mother was in therapy and was taking her medication, as directed. S.B. never conducted a home visit while the child was present during her management of the case. She acknowledged the Mother and the E.s provided for the care of the child Friday through Sunday of each week and some weeks it was longer. She could not testify as to a mother-child bond, as she never observed them together. She also testified there were no problems with the child being in the care of the mother and the E.s while she was working the case. In addition, there was never anything she asked the Mother to do that was not done. Furthermore, the mother attended the doctors' appointments each time the foster parents would take the child to the doctor. The Court found S.B. to be an experienced and seasoned case manager who did not feel the need to conduct home visits for nine months.

K.F., a licensed clinical social worker, testified she first met the mother as a client when the mother was nine (9) years of age, and worked with the mother, until the mother was sixteen (16) years of age. K.F. further testified the mother herself contacted K.F. again in August 2016 and asked to resume individual counseling. The Court found K.F. particularly credible due to both her qualifications and her length of time spend with the mother. The evidence presented established K.F. has met with the mother for counseling approximately once a week since August 2016. K.F. testified she worked with the mother regarding mother's anxiety and mother's negative feelings about the child coming into care. She felt the mother suffered from mild depression and anxiety.

K.F. felt the mother seemed to "be tuned in" about taking care of the child. K.F. further testified she believed the mother takes counseling seriously and is learning how to say "no" in her personal relationships. She believed the mother has suffered a trauma but is on the right path and believes she can learn. She testified there is a maternal bond to the child. When asked if the mother was capable of parenting, K.F. testified that she did not know. K.F. testified that she could not make a recommendation regarding mother's ability to parent the child, because she had not seen the mother with the child.

Based upon all of the evidence presented, the Court finds that mother's mental conditions cannot be reversed, or improved upon in the foreseeable future. In order to meet its burden the Juvenile Office would then need clear, cogent, and convincing evidence that mother's mental conditions render mother unable to knowingly provide

the child with the necessary care, custody, and control. Clear, cogent, and convincing evidence instantly tilts the scales in favor of termination when weighed against the evidence in opposition and the finder of fact is left with the abiding conviction that the evidence is true. *In the Interest of A.S.W.*, 137 S.W.3d 448, 453 (Mo. banc 2004). In the instant matter there was no such evidence.

The Court does not treat the concerns with the ability of the E.s to serve as the primary parenting figure to the child lightly. However, those concerns are balanced with the rights of the mother. Furthermore, the statutes are to be strictly construed in favor of the parent and preservation of the natural parent-child relationship. The evidence regarding the causal connection between her mental condition and predicted future behavior showed some concern with her ability to sustain a parental arrangement as an auxiliary parent with the E.s, but no specific evidence was offered from any worker or the GAL that would instantly tilt the scale in favor of termination. Arguments were made suggesting the mother presented no evidence stating how she could serve as an auxiliary parent, but she does not bear the burden of proof. As such, the Juvenile Office failed to present clear, cogent, and convincing evidence that mother's mental condition renders mother unable to knowingly provide the child with the necessary care, custody, and control.

- b. Whether or not there is a chemical dependency that would prevent the parent from consistently providing the necessary care, custody, and control of the minor child and that cannot be treated so as to enable the parent to consistently provide such care, custody and control. No such evidence was presented as to the mother.
- c. Whether or not there was a severe act or recurrent acts of physical, emotional or sexual abuse toward the child or any child in the family by the parent, including an act of incest, or by another person under circumstances that would indicate that the parent knew or should have known that such acts were being committed: No such evidence was presented as to the mother.
- d. Whether or not there was a repeated or continuous failure by the parent, although physically or financially able, to provide the child with adequate food, clothing, shelter, or education as defined by law, or other care and control necessary for the child's physical, mental, or emotional health and development: Clear, cogent, and convincing evidence was presented which established the mother initially neglected the minor child.

C.B. a Greene County Health Nurse, testified that prior to the child being placed into alternative care, she worked with the family for approximately eleven (11) weeks, and made eighteen (18) visits to the home. During every visit, C.B. reviewed the child's feeding logs and formulated plans for the family for the care of the child. C.B. testified she recommended the child come into alternative care, because she did not believe the child was safe in the home due to the child's failure to thrive. She also felt the mother was not safe in the home due to the E.s' lack of willingness to protect the mother from abuse

C.B. further testified no one in the family put the child's needs first. She believed the mother and the E.s had difficulty focusing upon the needs of the child. C.B. testified feeding logs were not kept consistently and on one occasion, the child had not eaten in six hours and on another occasion the child had not eaten in five hours.

C.B. further testified the mother had difficulty tracking medication for herself and for the child, and the mother had difficulty talking with physicians about the child's needs. C.B. felt the mother's inability to communicate in an accurate and timely manner placed the child in danger of not receiving proper and timely medical care.

C.S., the Intensive In-Home Services social worker, testified she worked with the mother and the family for about two weeks. She worked with the mother on feeding the child more consistently, but she was unsuccessful. The evidence presented established Mrs. E. filled out the feeding logs and not the mother. C.S. testified the family was very confrontational and argumentative, and that the E.s did not understand why Intensive In-Home Services was involved with their family.

C.S. testified she recommended the child come into alternative care, because the child was failing to thrive. Also, domestic violence in the home between the father and mother was an issue. C.S. further testified the mother put her own needs first and did not have the ability or desire to care for the child. C.S. further testified the mother reported she needed sleep at night and could not be responsible for overnight feedings of the child.

C.S.II, the Children's Division Investigator and Family Centered Services social worker, testified she worked with the family from June 2015 to August 2015. C.S.II testified the family was not cooperative. She believed the child was not safe in the home and recommended the child come into alternative care.

Ms. W. testified she had concerns about both the mother and the E.s' parenting abilities. Ms. W. further testified the E.s struggled with Dr. M.B's diagnoses of the mother in October and November 2015. Ms. W. further testified the grandparents did not understand the team's concerns regarding the welfare of the child. Ms. W. testified while she was the case manager, the mother struggled to apply parenting techniques and the mother never was able to feed the child properly. Ms. W. further testified the mother minimized or did not understand why the child was in alternative care.

J.C., an independent provider with First Steps, testified that she worked with the mother from May 2016 to August 2016. J.C. testified in her opinion the mother would never be able to parent the child alone.

Mr. and Mrs. E. were present for each day of trial but were not called as witnesses by either party.

C.H., the guardian ad litem for the child, testified the E.s and the mother were very angry with her and were not cooperative initially. After the child came into care, there was domestic violence in the home and a male individual sexually abused the mother while the mother was alone in the E. home. C.H. testified she felt the E.s had not taken proper care of the mother. C.H. also testified the grandparents continue to distrust the judicial system and the team overall.

C.H. felt the mother does not have the skills to keep herself safe when she is alone in the home. She felt like the mother did not demonstrate independence and was not aware of self-education. She also thought she lacked follow-through. C.H. further testified the grandparents are out of touch with the mother's vulnerabilities and overall abilities. She stated the child is not safe in the E. home on a permanent basis and the mother is not safe in the E. home. However, she admitted there have been improvements with the family.

C.H. testified she last saw the child on June 3, 2017 at the E.s' home. She stated it had been a very long time since she had been the home before the June 3, 2017 visit because of the animosity between the parties, but in May of 2017 the E.s invited her to visit. On that visit she noted a lot of interaction between the mother and the child. It was a positive interaction and the child was enjoying the time. The child referred to the mother as "Mama." She observed the mother had prepared a meal for the child.

It is clear the GAL, who is well-known to the Court, was fulfilling her duties to the child completely. Also, it is clear she believes passionately the E.s have not protected the mother as they should. The E.s' distrust of the system clearly damaged the relationship that could have been forged with the GAL. The Court finds and places any blame that should be attributed to this issue on the E.s. However, when the evidence presented at trial is weighed and carefully considered, the Juvenile Office was unable to provide clear, cogent and convincing evidence that the mother currently fails to provide the child with adequate food, clothing, shelter, or education, or other care and control necessary for the child's physical, mental, or emotional health and development.

Regarding the financial responsibilities to the child, the evidence presented showed the mother is receiving financial benefits in an amount over \$700.00 per month. The mother has provided in kind support for the child when she and the E.s have the child Friday through Sunday. The mother did not provide support payments to the agency to pay for the cost of care and maintenance of the child while under their care.

- e. The Court finds the child has been under the jurisdiction of the juvenile court for a period of one year, but yet the court cannot find the conditions which led to the juvenile court assuming jurisdiction still persist, or conditions of a potentially harmful

nature continue to exist, and there is little likelihood that those conditions will be remedied at an early date so the child can be returned to the mother in the near future. In making these findings, the Court has considered and makes findings on the following factors:

- i. The terms of a social service plan entered into by the parent and the division and the extent to which the parties have made progress in complying with the terms of said social service plan: The evidence presented established the mother was subject to the terms of a court-ordered treatment plan. The evidence further established mother did make significant progress on the goals of her treatment plan. Based upon the evidence presented, the Court finds the mother visited the child consistently, submitted to a psychological evaluation, attended individual therapy, completed a parenting class, and completed a domestic violence class. The evidence presented established the mother saw M.B.II to improve her social skills, life skills, and relationship skills. C.H. testified the mother has not made sufficient progress on the goals of her treatment plan so the child can be returned to the mother solely, but no evidence was presented that the mother had not made sufficient progress to parent as part of a unit or in the role characterized by the Juvenile Office's witness, Dr. M.B., as an auxiliary parent.
- ii. The success or failure of the efforts of the juvenile officer, the division or other agency to aid the mother on a continuing basis in adjusting her circumstances or conduct to provide a proper home for the child: The evidence presented established the efforts of the juvenile officer, the division, and the supervising agency were working to adjust mother's circumstances or conduct to provide a proper home for the child. The Court does not believe those circumstances have been adjusted to the extent to return the child to the mother, but also the Court cannot find that all efforts have failed.
- iii. A mental condition which is shown by competent evidence either to be permanent or such that there is not reasonable likelihood that the condition can be reversed and which renders the parent to unable to knowingly provide the child the necessary care, custody or control: As set forth previously, clear, cogent, and convincing evidence was presented which established that mother suffers from a mental condition that is permanent, but competent evidence was not offered showing the required nexus between the condition and the inability to provide the child the necessary care, custody or control.
- iv. A chemical dependency which prevents the parent from consistently providing the necessary care, custody, and control over the child and which cannot be treated so as to enable the parent to consistently provide such care, custody, and control: No such evidence was presented as to the mother.

Based upon all of the evidence, the Court finds the child has been under juvenile court jurisdiction for approximately two years. However, the Court is not convinced a

substantial link was proven between the mother's past behavior and predicted future behavior. As set forth previously in this judgment, the Court finds the Juvenile Office has failed to meet its burden of proof and has not shown the conditions noted above cannot be remedied so the child can be returned to the mother within a reasonably ascertainable time.

12. In deciding whether or not to terminate the parent-child relationship, the Court considered and makes findings on the following factors in compliance with Section 211.447.7 RSMo.:
 - a. The emotional ties to the birth parent: The evidence presented established the child has emotional ties to the mother. The evidence presented established the child has been residing with the mother and the E.s for the last 8 months from Friday through Sunday with absolutely no home visits from the supervising agency. Furthermore, during that time no issues of concern to the Juvenile Office have arisen. The child calls the mother "Mama." Several witnesses testified there is a maternal-child bond.
 - b. The extent to which the parent has maintained regular visitation or other contact with the child: The evidence presented established the mother has maintained consistent supervised visitation with the child.
 - c. The extent of payment by the parent for the cost of care and maintenance of the minor child when financially able to do so including the time that the minor child was in the custody of the Children's Division or other child-placing agency: The evidence presented was the mother has provided in-kind support.
 - d. Additional services would not be likely to bring about a lasting parental adjustment so as to enable a return of the child to the mother within an ascertainable period of time: The evidence presented established the mother is making progress in counseling and parenting classes. She completed all of her court ordered treatment plan.
 - e. The parent's disinterest in or lack of commitment to the child. The evidence presented established the mother has demonstrated an interest in the child. The evidence presented established that while the mother initially did not show an appropriate interest in the child, the mother has been showing her interest in the child by following through with counseling and continuing to participate in family support team meetings. Also as noted above, the mother accompanies the child and foster parents to all doctors' appointments.
 - f. The conviction of the parent of a felony offense that the Court finds is of such a nature that the child will be deprived of a stable home for a period of years with the understanding the incarceration, standing alone, is not a proper grounds for termination of parental rights: No evidence was presented of such a conviction of the mother.
 - g. Deliberate acts of the parent or acts of another, of which the parent knew or should have known, that subjected the child to a substantial risk of physical or mental harm: No such evidence was presented as to the mother.

13. The Juvenile Office failed to show the mother has failed or is unable to assimilate the services offered to her.
14. The continuation of the parent-child relationship does not greatly diminish the child's prospects for early integration into a stable and permanent home.
15. The inability of the mother to provide proper care, custody, and control for the minor child is potentially harmful to the child should the child be placed solely with the mother. However, the mother may still be able to function as a parental figure in an auxiliary setting.
16. The minor child's guardian ad litem recommended that it was in the best interest of the minor child for the Court to terminate parental rights of the mother and the parental rights of the father in, to, and over the minor child. The guardian ad litem for the mother did not make a specific recommendation as to the mother's best interest in this termination action. The Court does not make a finding on the best interest of the child as to mother, as that issue is only considered after a determination that one or more of the statutory grounds for termination of parental rights exist. As to the father, the Court finds termination of the father's parental rights is in the best interest of the child.

CONCLUSIONS OF LAW

After consideration of the evidence and the findings set forth above, the Court hereby finds and recommends as follows:

1. This Court has jurisdiction over the subject matter and the parties to this action.
2. A compliance hearing was held as required under Section 211.455 RSMo., at which time the Court concluded all necessary parties had been properly served with process.
3. Each party was duly served with notice of this action according to law. Summons and a copy of Petitioner's Petition to Terminate Parental Rights were served upon each necessary person as required under Section 211.453 RSMo.
4. The minor child was appointed and was represented by counsel in this action. The father was represented by counsel in this action. The mother was appointed an attorney in this action and the mother was appointed a guardian ad litem in this action.
5. An investigation and social summary was ordered by the Court and a written report of that investigation was made and presented to the Court with copies made available to all parties as provided by law.
6. Based upon the clear, cogent, and convincing evidence presented in this proceeding, this Court finds and concludes that:
 - a. The minor child was neglected by the mother;

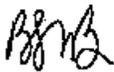
- b. The mother is continuing to work to rectify the conditions which brought the minor child into care;
 - c. The father knowingly, freely, willingly, and voluntarily executed in writing his consent to termination of parental rights and adoption;
 - d. The Court concludes and finds that it would be in the best interest of the minor child to terminate the parental rights of the father in, to, and over the minor child; and
 - e. The Court fails to find sufficient evidence to make a finding by clear, cogent and convincing evidence that the allegations contained within the Petition to Terminate Parental Rights are true as to the mother and that the statutory grounds for termination of parental rights exist as to her.
7. In making the foregoing Findings of Fact and Conclusions of Law, this Court construed Sections 211.447 to 211.487 RSMo. in the manner provided in Section 211.443 RSMo.

WHEREFORE, IT IS ORDERED, ADJUDGED AND DECREED THAT:

- a. Pursuant to Section 211.444 RSMo., the parental rights of the father, C.J.R., in, to, and over the minor child, C.J.R., are forever terminated.
- b. Judgment is entered in favor of Mother, C.F.R.
- c. Legal custody of the minor child remains with the Children's Division for purposes of providing temporary care and to give necessary consent for medical treatment and/or surgery.
- d. Attorney C.H., guardian ad litem for the minor child, will be awarded as reasonable attorney fee upon application. C.H.'s attorney fee shall be taxed as costs.
- e. Attorney K.J., guardian ad litem for the mother, is awarded a reasonable attorney fee in the sum of \$3,006.40, to be taxed as costs.
- f. Attorney M.S., attorney for father, will be awarded a reasonable attorney fee upon application. M.S.'s attorney fee shall be taxed as costs.
- g. All costs of this action, including witness fees, service fees, and costs of appeal, are taxed against the Children's Division.
- h. All fees are found to be reasonable.

SO ORDERED:

Date:



Judge Becky J.W. Borthwick