

District Court, Whoville County, Colorado 100 Whoville County Parkway Golden, CO 90210	COURT USE ONLY
THE PEOPLE OF THE STATE OF COLORADO In the Interest of Child: DOYEN TRUMP CHARMING Petitioner: WHOVILLE COUNTY DIVISION OF CHILDREN, YOUTH AND FAMILIES Respondents: CINDER ELLA CHARMING, RICK CHARMING, PHILLIP KING and JOHN DOE.	
Turtle Dove, Atty. Reg. #1000000 Whoville County Attorney By: Sticky Notes, Atty. Reg. #100001 100 Whoville County Parkway Whoville, CO 90210 Phone (303) 867-5309	
Case Number: 16JV000 Div.: 10 Ctrm.: 4C	
PETITION FOR TEMPORARY LEGAL CUSTODY	

Petitioner alleges:

1. The subject child was placed in the temporary protective custody of the Petitioner through a Court Hold issued on January 30, 2016.
2. It is necessary and in the best interest of the child to remain in out-of-home placement.
3. Exhibit A is incorporated by reference.

Petitioner requests temporary legal custody of the child.

Dated February _____, 2016.

TURTLE DOVE, #1000000
JEFFERSON COUNTY ATTORNEY

By: _____
Sticky Notes, #100001
Assistant County Attorney

VERIFICATION

I am an employee of the Petitioner. I have read the foregoing Verified Petition for Dependency and Neglect and, to the best of my information and belief, the contents are true.

Sticky Notes, #100001
100 Whoville County Parkway
Whoville, CO 90210
Assistant County Attorney

Subscribed and sworn to before me on _____, 2016

Notary Public

My commission expires: _____

EXHIBIT A

The child and his date of birth is: Doyen Trump Charming, 01/26/2016

The child resides or was found in Whoville County, Colorado.

REPORTED CONCERN

On January 26, 2016, the Whoville County Division of Children, Youth and Families received a report of concern regarding Doyen Trump Charming. The report stated that Ms. Cinder Ella Charming is currently incarcerated at Whoville County Detention Center. She gave birth to Doyen Trump Charming and will be transported back to Whoville County Detention Center upon her discharge from the hospital. Ms. Charming admitted to using opiates and Marijuana during her pregnancy.

SYNOPSIS OF ASSESSMENT

From January 26, 2016, through January 30, 2016, Caseworker Bell completed an assessment of safety, risk, strengths and family needs with the Charming family. This synopsis outlines the information gathered through the assessment leading up to the filing of the petition. The following persons were contacted and engaged a part of the assessment process:

- ⊙ Doyen Trump Charming, Child
- ⊙ Cinder Ella Charming, Mother
- ⊙ Rich Charming, Presumed Father
- ⊙ Phillip King, Alleged Father
- ⊙ Beverly Ratched, Whoville Hospital pediatrician
- ⊙ Randi McMurphy Whoville Hospital social worker
- ⊙ Laura Tremaine, maternal grandmother
- ⊙ Maleficent Tremaine, maternal step grandmother, wife of Laura Tremaine
- ⊙ Hubert King, paternal grandfather (father of Phillip King)

Caseworker Bell and Caseworker Pan met with Ms. Charming and Doyen at Whoville Medical Center on January 26, 2016. Ms. Charming is in custody due to a failure to appear on a pending charge of driving under the influence, leaving the scene of the accident, felony manslaughter and reckless driving. She was detained on January 15, 2015, and has been in Whoville County jail since that date. Ms. Charming allegedly drove her VW Bug into a pumpkin patch and a worker died as a result of the accident. Ms. Charming allegedly fled the scene of the accident. She was later arrested at her home and released on bond. Ms. Charming failed to appear at her next hearing and was arrested pursuant to a bench warrant.

Ms. Charming admitted to using Zydone during her pregnancy under her doctor's guidance. She also admitted to using Marijuana during her pregnancy under her caregiver's guidance. Ms. Charming claims to suffer from myalgia and seizures from lead poisoning as a teenager from

wearing lead crystal shoes. Ms. Charming admitted to being hospitalized in April 2015 for exhaustion. Ms. Charming is concerned that Mr. King may be the father of Doyen and it will destroy her marriage to Mr. Rick Charming.

On January 29, 2016, Caseworker Bell and Caseworker Pan with Mr. Phillip King at his home. He is currently staying with a friend named Darla Merriweather and she is assisting him with daily activities due to his broken ankle. He broke his ankle during the altercation with Mr. Charming in the hospital. Mr. King admitted to using Marijuana and produced a copy of his medical marijuana license. He stated he has significant shoulder damage due to years of fencing as a child. Mr. King stated he believes he is the biological father of Doyen due to his relationship with Ms. Charming. Mr. King stated he moved in with Ms. Charming and Mr. Charming after his marriage to Aurora King failed. Mr. King stated he and Ms. Charming started a romantic relationship.

On January 29, 2016, Caseworker Bell and Caseworker Pan attempted to meet with Mr. Charming at his residence. Mr. Charming was not at home.

On January 30, 2016, Ms. Charming and Doyen were ready to be discharged from Whoville Medical Center. Ms. Charming was transported back to Whoville County Detention Center. Caseworker Bell attempted to contact Mr. Charming but was unsuccessful. It was then determined that Mr. Charming had been arrested early that morning and jailed on multiple charges, including possession of Controlled Substance, Open Container of Alcohol in a Motor Vehicle, Possession of a Forged Instrument, Assault, and Giving False Information. Due to both Ms. Charming and Mr. Charming being incarcerated and Doyen being discharged from the hospital, a court hold was granted on Doyen.

DANGER/HARM (Danger: Credible concerns child welfare or members of the child's community have about actions that a caregiver may have taken in the present or immediate future that will harm a child. Harm: Past actions by a caregiver to a child that have hurt that child either physically, emotionally or developmentally.)

- ☉ Ms. Charming admitted to using opiates and marijuana during her pregnancy.
- ☉ Ms. Charming and Mr. Charming are incarcerated at Whoville County Detention Center and unable to care for Doyen.
- ☉ Mr. King claims to be the father and has engaged in physical altercations with Mr. Charming in the presence of Doyen.

Concerning Patterns within History (Summary information from past referrals, assessments or cases within TRAILS or history within Colorado Courts that demonstrate a pattern of concerning behaviors related to the current concerns.)

The Colorado Division of Children, Youth and Families has the following prior reports of concern in regard to the Charming family:

- ⊙ January 20, 2006, allegations of physical abuse and environmental neglect. Report of concerns that Ms. Laura Tremaine was abusing Cinder Ella Charming verbally, physically and emotionally. The report noted Ms. Charming was often dirty, wearing the same clothes for days, and forced to sleep on the floor near the fireplace. Not accepted for investigation.
- ⊙ November 19, 2005, allegations of environmental neglect. Report of concerns that Ms. Tremaine was keeping Ms. Charming locked in the basement. Not accepted.
- ⊙ July 17, 2004, allegations of physical abuse and environmental neglect. Report of concern that Mr. Tremaine and Mr. Tremaine were engaged in a verbal domestic violence altercation that escalated to a physical domestic violence altercation. Mr. Tremaine left the residence and was later killed in a single car accident. Assigned for a Family Assessment Response.

The Colorado Division of Children, Youth and Families has zero prior reports of concern in regard to the King family.

COMPLICATING FACTORS (Anything that further complicates the work of creating safety for the involved child but does not rise to the level of danger/harm.)

- ⊙ Ms. Charming has a hearing scheduled for February 10, 2016, at which time she believes she will be released from jail.
- ⊙ A cord stat test was sent to determine if Doyen was exposed to substances. The results have not been received yet.
- ⊙ Ms. Charming reported she used Marijuana and Zydene throughout her pregnancy until she went to jail.
- ⊙ Ms. Charming appeared to be very overwhelmed and was not coping well when Doyen was in her care in the hospital.
- ⊙ Ms. Charming reported getting easily frustrated when feeding Doyen and would not wake up when he would cry; it would take a nurse waking her to get her to attend to Doyen.
- ⊙ Ms. Charming and Doyen were present for an argument between Mr. Charming and Mr. King regarding a disagreement on how to care for the baby and who was the father.
- ⊙ Mr. Charming had a hearing scheduled for January 30, 2016. It is unknown if he was released from jail.
- ⊙ Mr. King claims he is the father of Doyen.
- ⊙ Mr. Charming has expressed concerns he is not the biological father of Doyen.
- ⊙ Mr. King has a broken ankle and uses crutches to walk. He may have to have an additional surgery to repair the ankle.
- ⊙ Mr. King has a prescription for Percocet due to this injury. He reports that the medication “numbs the pain” but does not impact his ability to function.
- ⊙ Mr. King reports he has the necessary baby items to care for Doyen.
- ⊙ Mr. King uses marijuana for pain and smokes daily before going to bed. He also reports having up to a couple of beers a day when watching fencing.
- ⊙ Mr. King plans to continue living with Ms. Merriweather.

- ⊙ Ms. Merriweather reported she is willing and able to help care for Doyen when he is home.
- ⊙ Ms. Merriweather denied any substance use. She was asked to submit a urine screen by midnight on January 29, 2016, but did not do so.
- ⊙ Ms. Tremaine expressed a desire to be a placement option for Doyen. However, her new wife, Maleficent King-Tremaine is unsure about caring for a newborn baby. Ms. King-Tremaine raises homing pigeons and is worried about the health of the birds and the health of the baby.

SAFETY

Actions of protection taken by the caregivers to mitigate the danger/risk, demonstrated over time.

- ⊙ None identified.

Actions of protection taken by the agency to mitigate the danger/risk.

- ⊙ The Whoville County Division of Children, Youth and Families was granted a court hold for Doyen by Magistrate Grantham on January 30, 2016, at 10:17 a.m.
- ⊙ Doyen was placed in a licensed foster home on January 30, 2016.
- ⊙ A Team Decision Making meeting was held on January 30, 2016.

STRENGTHS (Skills of living, nurturing or support, qualities of an individual or family, and/or resources that contribute in positive ways to family life but do not in and of themselves directly address the danger/harm/risk or enhance the protection of children.)

- ⊙ Ms. Charming tested negative for all substances when she gave birth to Doyen.
- ⊙ Mr. King was caring and attentive to Doyen's needs in the hospital.
- ⊙ Ms. Charming wants to parent Doyen and is looking forward to caring for him.
- ⊙ Mr. King wants to parent Doyen and is looking forward to caring for him.
- ⊙ Mr. King has several friends and family members that may be able to provide care for Doyen until he is able to return home.
- ⊙ Ms. Charming's step mother, Ms. Tremaine would like to continue being a support and possible placement for Doyen.
- ⊙ Doyen is healthy and doing well physically.

GRAY AREA (Circumstances or pieces of information that are incomplete, suspected, speculative or assumptive and required follow up to determine accuracy and risk.)

- ⊙ When will Ms. Charming be released from jail?
- ⊙ Where will Ms. Charming reside when released from jail?

- ⊙ When will Mr. Charming be released from jail?
- ⊙ Where will Mr. Charming reside when released from jail?
- ⊙ What are the results of Doyen's cord stat test?
- ⊙ Is Mr. King using illegal substances?

RISK STATEMENT(S) (Detailed statements of professional concerns that describe what the agency is worried may happen to the child in the future if nothing changes (potential impact on the child) and when the agency is most worried this could happen (context).)

- ⊙ Doyen may be neglected (not supervised, not have his basic needs met, not have his emotional needs met) when Ms. Charming, Mr. Charming and/or Mr. King use substances while caring for Doyen.
- ⊙ Doyen may be neglected (not have an appropriate caregiver, not have a legal guardian) when Ms. Charming, Mr. Charming and/or Mr. King are incarcerated.

GOAL STATEMENT(S) (Detailed statements of professional bottom line goals that describe what actions caregivers will be taking differently in the care of the children to know the risk is being addressed.)

- ⊙ Doyen will always be cared for by safe, sober caregivers in an environment that can meet his needs for individual safety, well-being, and permanency.

NEXT STEPS (Small, measurable, achievable, reasonable and timely (SMART) action steps that will be taken by the agency, caseworker, caregivers, family, family's network, other involved professionals to facilitate the achievement of the goals.)

The Whoville County Division of Children, Youth and Families is requesting Temporary Legal Custody of Doyen Trump Charming.