

No. _____

In the Court of Appeals

Third Judicial District

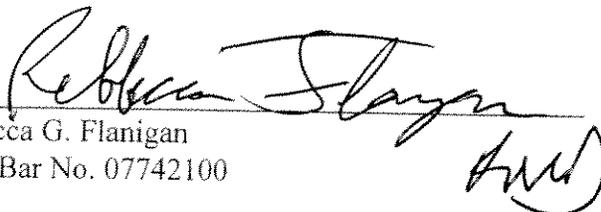
AUSTIN, Texas

***In re* Faithann Jessop, Loretta Jessop, and Kathryn Jeffs, Relators**

PETITION FOR WRIT OF MANDAMUS

Rebecca G. Flanigan
State Bar No. 07742100
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ATTORNEYS FOR RELATOR

By: 

Rebecca G. Flanigan
State Bar No. 07742100

Oral Argument Requested

Identity of Parties and Counsel

The following is a list of all parties and all counsel who have appeared in this matter:

Relators: Faithann Jessop, Loretta Jessop, and Kathryn Jeffs

Attorneys for Relator in the trial court: **Rebecca G. Flanigan**, 102 Pueblo, Corpus Christi, Texas 78405, State Bar No. 07742100 and **Julie Balovich**, P. O. Box 2148, Alpine, Texas 79830, State Bar No. 24036182

Respondent: Honorable Barbara Walthers

Real party in interest: Texas Dept. of Family and Protective Services

Attorneys for real party in interest in the trial court: **Daniel Edwards**, 622 South Oakes, Suite L., San Angelo, Texas 76903-7035, State Bar No. 06440100 and **Gary Banks**, 622 South Oakes, Suite L., San Angelo, Texas 76903-7035, State Bar No. 01679990.

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- B. Issue No. 1: Respondent abused her discretion when she denied Relators' Petition for Writ of Habeas Corpus for the return of their children because Relators have the right to exclusive possession of their children by virtue of their rights, privileges and powers as parents.

Prayer

APPENDICES: The following documents are attached to this petition and incorporated in it for all purposes.

Appendix A: Attached to this petition are the following documents:

1. A true and correct copy of the "Order" [Denying Writ of Habeas Corpus] dated April 21, 2008 signed by Respondent in Cause No. A-08-0520-F (certified copy forthcoming).
2. A true and correct copy of the Petition for Writ of Habeas Corpus in Cause No. A-08-0520-F (certified copy forthcoming).
3. A true and correct copy of "Order for Protection of Child in an Emergency" dated April 7, 2008 in Cause No.2902 (certified copy forthcoming).
4. A true and correct copy of "Order on Placement of Children" dated April 22, 2008 in "Cause Nos. 2779-2903" (certified copy forthcoming).

Statement of the Case

1. The underlying suits are petitions for writ of habeas corpus for return of children to Relators, the children's parents.
2. Respondent is Honorable Barbara Walthers, Judge of the 51st Judicial District Court of SCHLEICHER County, Texas, whose address is 112 W. Beauregard Ave., San Angelo, Texas 76903.
3. Relators' petitions for writ of habeas corpus were denied by Respondent, without notice or hearing, on April 22, 2008.

Statement of Jurisdiction

This Court has jurisdiction to issue a writ of mandamus under section 6 of article V of the

Texas Constitution and section 22.221(a) of the Texas Government Code.

Issues Presented

Issue No. 1: Respondent abused her discretion when she denied Relators' Petition for Writ of Habeas Corpus for the return of their children because Relators have the right to exclusive possession of their children by virtue of their rights, privileges and powers as parents.

Statement of Facts

On or about April 4, 2008, the Real Party in Interest, Texas Department of Family and Protective Services (hereinafter "TDFPS") removed, without a court order, the children at issue and approximately 400 other children from their homes and parents' possession. TDFPS thereafter filed an "Original Petition for Protection of Children in an Emergency and for Conservatorship in Suit Affecting Parent-Child Relationship" in approximately 129 lawsuits (127 suits naming one child in each, 1 suit purporting to encompass 330 children, and another suit addressing 16 children. Neither Relators nor their children were named in any of the lawsuits filed by TDFPS.

Respondent signed an "Order for Protection of Child in an Emergency" in Cause No. 2902, dated April 7, 2008 appointing TDFPS as temporary sole managing conservator of "330 unidentified children."

On April 17, 2008, Relators filed their Petitions for Writ of Habeas Corpus, in Cause Nos. A-08-0515-F thru A-08-0530-F, A-08-0532-F thru A-08-0540-F, A-08-0542-F thru A-08-0544, and A-08-0548 thru A-08-0552-F, alleging an exclusive right to possession of the child as the child's parent as the right to possession was not governed by a court order

On April 17-18, 2008, in "Cause Nos. 2779 through 2904," Respondent, in theory, held the "adversary hearing" required by Section 262.201 of the Texas Family Code. Respondent purported to address, *en masse*, over 120 lawsuits filed by DPRS involving hundreds of children. Respondent,

from the outset, declined to consider any motions filed by respondent parents including motions to dismiss, motions to sever, or special appearances.

During the April 17, 2008 hearing, Relators' counsel noted to the trial court that a number of parents and their children were not named in any of the suits filed by TDFPS, and that those parents had filed petitions for writ of habeas corpus earlier in the day. The trial court replied that pleading defects could be cured by trial amendment. No trial amendments were offered by TDFPS.

On April 18, 2008, Respondent ruled that TDFPS should continue as temporary managing conservator of all children taken into TDFPS' possession; no child, whether 17 years of age or newborn, was to be returned to parents.

On April 21, 2006, Respondent signed, in "Cause Nos. 2779-2903" an "Order of Placement" authorizing the scattering of hundreds of children to facilities or foster care placement throughout the state. To Relators' knowledge, no other orders stemming from the April 18, 2008 ruling have been entered.

On April 21, 2008, Relators' counsel requested that the trial court schedule for hearing Relators' Application for Writ of Habeas Corpus.

On April 22, 2008, Respondent, without notice or hearing, denied Relators' Petition for Writ of Habeas Corpus.

Argument and Authorities

A relator is entitled to an issuance of a writ for habeas corpus immediately on a showing of his or her right to custody; mandamus is a proper remedy to enforce Relators' rights. *Lamphere v. Chrisman*, 554 S.W.2d 935, 938 (Tex. 1977).

The purpose of the habeas corpus proceeding under Sections 157.371 *et seq.* of the Texas Family Code is to deliver a child from an unlawful detention. *Garza v. Schilling*, 576 S.W.2d 147,

150 (Tex.App.—Corpus Christi 1978, no writ). The sole question in such a proceeding is whether the relator has a superior right to immediate possession of the child; the right to custody is not an issue. *Green v. Schuble*, 654 S.W.2d 436, 438 (Tex. 1983).

Neither Relators nor their children were named in TDFPS' suits. The only court order in effect at the time Relators filed their Petitions for Writ of Habeas Corpus was Respondent's "Order For Protection of a Child" dated April 7, 2008, in Cause No.2902 which was directed at "330 unidentified children." None of TDFPS' pleadings, in this case or others, identified Relators or their children. Even if Relators had been named in the suits, TDFPS presented no evidence to the trial court reflecting service of process or even "reasonable notice" of the proceedings. TDFPS offered no evidence that it complied with §262.109 of the Family Code which requires, upon removal, written notice to the parents containing the reasons for removal, a contact person, and a summary of the parents' legal rights.

In the Order denying Relators' Petitions, Respondent found that the children were taken into TDFPS custody pursuant "to a valid order of this court signed on April 5, 2008," presumably the April 7, 2008 order, which, Respondent notes, was an *ex parte* order. The trial court further found that the children were ordered to remain in TDFPS custody pursuant to a "valid temporary order dated April 18, 2008," presumably, the "Order on Placement of Children" dated April 22, 2008. Relators, however, were not served with citation or notice of the proceedings encompassed in the "temporary order." Furthermore, at the hearing that resulted in the "temporary orders," Respondent declined to consider motions filed by respondent parents including motions to dismiss, motions to sever, or special appearances. An order that is granted without "reasonable notice of the proceeding and an opportunity to be heard" may not be used as a basis to deny return of the child. *See* TEX.FAM.CODE ANN. §157.372(b).

None of the lawsuits filed by TDFPS name Relators or their children. There is no court order governing conservatorship of these children. Relators have the exclusive right to possession of their children by virtue of their rights and privileges as parents.

Once Relators establish their legal right to possession, a trial court's authority to refuse habeas corpus relief is very limited. *In Re Lau*, 89 S.W.3d at 759. Once the right to possession is established, the only exception to returning the child is whether there is a "serious and immediate question concerning the welfare of the child;" evidence raising a "serious immediate question" must be presented before the trial court has any discretion to deny the writ. *Grimes v. Flores*, 717 S.W.2d 949, 952 (Tex.App.—San Antonio 1986) (writ dismissed). A serious immediate question requires a situation that, without the court's immediate action, would subject the child to imminent danger of physical or emotional harm. *Forbes v. Wettman*, 598 S.W.2d 231, 232 (Tex. 1980) (orig. proceeding).

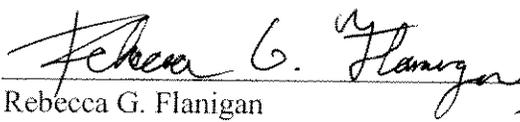
Respondent entered the "Order" [Denying Writ of Habeas Corpus] on April 21, 2008 without notice or hearing. At the adversary hearing held the preceding week, the trial court heard some evidence referring to approximately 20 children out of the 416 taken into state custody. Assuming, *arguendo*, that the information on those 20 children was some evidence of their welfare, no evidence was offered pertaining to Relators or their children.

The Order denying Relators' habeas corpus petitions contains no findings of a "serious and immediate question" regarding Relators' children. As a matter of law, the trial court could not have made the requisite findings for denying the habeas corpus relief because the trial court had no evidence pertaining to Relators or their children. *See In re Cochran*, 151 S.W.3d 275, 280 (Tex.App.-Texarkana 2004) (finding insufficient evidence in the record to support the trial court's finding of danger to the child under Section 262.201(b)(1) of the Texas Family Code).

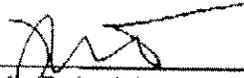
Prayer

Relators pray that this Court issue its writ of mandamus commanding the trial court to vacate the order of April 22, 2008 denying Relators' Petitions for Writ of Habeas Corpus and ordering the trial court to grant the writ of habeas corpus for possession of the children.

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102 Pueblo
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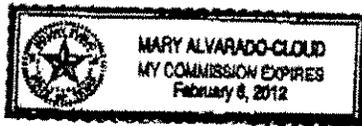
By: 
Rebecca G. Flanigan
State Bar No. 07742100
Julie Balovich
State Bar No. 24036182
Attorneys for Relator 

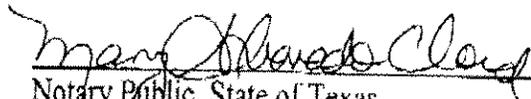
I swear under oath and upon personal knowledge that the factual allegations in the above Petition for Writ of Mandamus are true and correct.



Julie Balovich, Attorney for Relators

SIGNED under oath before me on April 23, 2008





Notary Public, State of Texas

Certificate of Service

I certify that a true copy of this Petition for Writ of Mandamus was served in accordance with rule 9.5 of the Texas Rules of Appellate Procedure on each party or that party's lead counsel as follows:

Party: Honorable Barbara Walthers, Respondent
Address of service: 112 W. Beauregard Ave., San Angelo, Texas 76903.
Method of service: by fax
Date of service: April 23, 2008

Party: TDFPS, Real Party in Interest
Lead attorney: Gary Banks
Address of service: 822 South Oakes, Suite L, San Angelo, Texas 76903
Method of service: by fax
Date of service: April 23, 2008

A copy of this notice is being filed with the appellate clerk in accordance with rule 25.1(e) of the Texas Rules of Civil Procedure.



Rebecca G. Flanigan
Attorney for Relator

Appendix A:

This appendix contains the following:

1. A true and correct copy of the Order [Denying Writ of Habeas Corpus] dated April 21, 2008 signed by Respondent in Cause No. A-08-0520-F (certified copy forthcoming).
2. A true and correct copy of the Petition for Writ of Habeas Corpus in Cause No. A-08-0520-F (certified copy forthcoming).
3. A true and correct copy of "Order for Protection of Child in an Emergency" dated April 7, 2008 in Cause No.2902 (certified copy forthcoming).
4. A true and correct copy of "Order on Placement of Children" dated April 22, 2008 in "Cause Nos. 2779-2903" (certified copy forthcoming).

APPENDIX A

1

No. A-08-0520-F

EX PARTE

IN THE 51st DISTRICT COURT

MAHONRI JESSOP

OF

CHILDREN

TOM GREEN COUNTY, TEXAS

ORDER

The child/children the subject of this petition were taken into the possession and custody of the Texas Department of Family and Protective Services (hereinafter "the Department") pursuant to a valid order of this court signed on April 5, 2008, in accordance with the Texas Family Code.

On April 17, 2008, this court commenced its evidentiary hearing pursuant to the Texas Family Code and concluded the hearing on April 18, 2008. At the conclusion of the hearing, this court issued its valid temporary order dated April 18, 2008, in which this court ordered that the child/children remain in the possession and custody of the Department pending further proceedings.

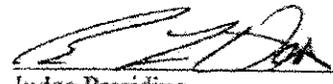
This petition for writ of habeas corpus was filed on April 17/18, 2008. Petitioner alleges that she is a parent of the child/children, that the right to possession of the child/children is not governed by a court order, and further alleges that the child/children are illegally restrained by Carey Cochrell and the Texas Department of Family and Protective Services.

Contrary to the allegations, the court finds that the child/children the subject of this petition have at all times been in the custody and possession of the Department pursuant to a valid order of this court, and further finds that the child/children remain in

the custody and possession of the Department pursuant to this court's valid order. The child/children the subject of this petition have at no time been illegally restrained.

IT IS ORDERED that the Petition for Writ of Habeas Corpus is hereby denied.
The petition is dismissed without prejudice.

Signed April 21, 2008



Judge Presiding

APPENDIX A

NO. A-08-0520-F

EX PARTE

Mahenri Jessop

§
§
§
§
§
§
§
§
§

IN THE DISTRICT COURT

51ST JUDICIAL DISTRICT

CHILDREN

TOM GREEN COUNTY, TEXAS

PETITION FOR WRIT OF HABEAS CORPUS

1. Discovery in this case is intended to be conducted under level 2 of rule 190 of the Texas Rules of Civil Procedure.

2. This Petition for Writ of Habeas Corpus is brought by Loretta Jessop, Petitioner, who resides at FYZ Ranch, Eldorado, Texas.

3. Petitioner is a parent of the child or children: Mahenri Jessop. Respondent is not a parent of the children. The right to possession of the children is not governed by a court order.

4. The children are illegally restrained by Carey Cochrell and the Texas Department of Family Protective Services, Respondent, at the Coliseum, Schleicher, County, Texas. Process should be served on Respondent at 701 W 51st Street, Austin, Texas 78751.

5. Petitioner prays that the Court immediately issue its writ of habeas corpus commanding that the children be brought immediately before this Court and that the children be returned to Petitioner.

Petitioner further requests that Respondent be ordered to pay all costs of court.

Petitioner prays for recovery of all relief requested and for all general relief to which this

FILED
11/19/08
11:01 AM
CLERK
TOM GREEN COUNTY, TEXAS

Court may deem Petitioner entitled.

Respectfully submitted,
TEXAS RIOGRANDE LEGAL AID, INC.

By:



Rebecca G Flanigan
State Bar 07742100
102 Pueblo
Corpus Christi TX 78405
361. 880 5434
361. 883 17615 (fax)

Attorney for Petitioner

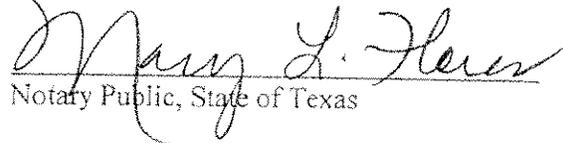
The undersigned states under oath: "To the best of my personal knowledge, the allegations and facts stated in the foregoing Petition for Writ of Habeas Corpus are above and correct."



Affiant

SIGNED under oath before me on

4.17.08


Notary Public, State of Texas



**IOLTA CERTIFICATE UNDER RULE 145
OF THE TEXAS RULES OF CIVIL PROCEDURE**

Texas RioGrande Legal Aid, Inc. (TRLA) represents Loretha Jessop.
TRLA provides free legal services, without contingency, because of the party's indigency
and TRLA is providing services either directly or by referral from a program funded by
the Interest on Lawyers Trust Accounts (IOLTA) program. TRLA, by the undersigned
attorney, certifies that TRLA is an IOLTA funded program and that TRLA screened
client for income eligibility under the IOLTA income guidelines.

Respectfully submitted,

TEXAS RIOGRANDE LEGAL AID, INC.

By:  Rebecca G. Flanigan
State Bar No.: 07742100
102 Pueblo
Longview Christ-Tx 78405
361.8805434
361.883.7615 fax

Attorney for Petitioner

APPENDIX A

3

CAUSE NO. 2902

IN THE INTEREST OF § IN THE DISTRICT COURT OF
330 CHILDREN §
FROM THE YFZ RANCH § SCHLEICHER COUNTY, TEXAS
§ 51ST JUDICIAL DISTRICT

**ORDER FOR PROTECTION OF A CHILD IN AN EMERGENCY
AND NOTICE OF HEARING**

On the date set forth below, the Department Of Family And Protective Services (the "Department") presented its Petition to the Court along with the sworn affidavit of a Department investigator.

1. Jurisdiction.

Having examined the pleadings and reviewed the evidence, the Court finds that it has jurisdiction of this cause under § 262.002, TEXAS FAMILY CODE.

2. Findings.

2.1. Having examined and reviewed the evidence, including the sworn affidavit accompanying the Petition and based upon the facts contained therein, the Court finds that all reasonable efforts, consistent with time and circumstances have been made by the Petitioner to prevent or eliminate the need for removal of the children the subject of this suit from the home and to make it possible for the children to return home, but continuation in the home would be contrary to the children's welfare.

2.2. The Court finds that the children have been removed pursuant to § 262.104, TEXAS FAMILY CODE, and further finds that:

2.2.1. There is a continuing danger to the physical health or safety of the children if the children are returned to the parent(s), managing conservator(s), possessory conservator(s), guardian(s), caretaker(s), and/or custodian(s) who are presently entitled to possession of the children; that the evidence shows that the children have been the victims of sexual abuse on one or more occasions and there is a substantial risk that the children will be the victims of sexual abuse in the future and/or there is evidence that the household(s) to which the children would be returned to includes a person who has abused or neglected

another child in a manner that caused serious injury to another child and/or sexually abused another child.

2.2.2. Continuation of the children in the home would be contrary to the children's welfare; and

2.2.3. Reasonable efforts consistent with the circumstances and providing for the safety of the children were made to prevent or eliminate the need for removal of the children.

2.3. The Court finds that the following temporary orders are in the best interest of the children the subject of this suit.

3. **Emergency Temporary Orders.**

IT IS ORDERED that the Department is named temporary sole managing conservator of the following child, with all of the rights and duties listed in § 153.371, TEXAS FAMILY CODE, until a full adversary hearing is held:

330 unidentified children removed from the YFZ Ranch, Eldorado, Schleicher County, Texas, including but not limited to any children identified on Schedule "A" attached to this Order and incorporated herein for all purposes as if set forth verbatim in the body of this Order.

3.1. **IT IS ORDERED** that, in addition to the rights and duties listed in § 153.371, TEXAS FAMILY CODE, the Department is authorized to consent to medical care for the children, pursuant to § 266.004, TEXAS FAMILY CODE, until a full adversary hearing is held.

3.2. **IT IS ORDERED** that each parent, alleged father or alleged mother, or relative of the children before the Court provide the Department and the Court the full name and current address or whereabouts and phone number of any absent parent or alleged father or alleged mother of the children the subject of this suit, pursuant to RULE 194, TEXAS RULE OF CIVIL PROCEDURE and §262.201, TEXAS FAMILY CODE.

3.3. **IT IS ORDERED** that each parent, alleged father or alleged mother, or relative of the children before the Court submit the Child Placement Resources Form provided under § 261.307, if the form has not previously been provided, and provide to the Department and the Court the full name and current address or whereabouts and phone number of any relative of the children the subject of this suit with whom the Department may place the children during the pendency of this suit, pursuant to Rule 197, TEXAS RULES OF CIVIL PROCEDURE, and § 262.201, TEXAS FAMILY CODE.

- 3.4. **IT IS ORDERED** that each parent of the children the subject of this suit furnish to the Department and the Court information sufficient to accurately identify that parent's net resources and ability to pay child support along with copies of income tax returns for the past two years, any financial statements, bank statements, and current pay stubs, pursuant to RULE 196, TEXAS RULES OF CIVIL PROCEDURE and § 154.063, TEXAS FAMILY CODE.
- 3.5. **IT IS ORDERED** that each parent of the children the subject of this suit provide the Department and the Court evidence of health insurance available for the children, pursuant to RULE 196, TEXAS RULES OF CIVIL PROCEDURE and § 154.182, TEXAS FAMILY CODE.
- 3.6. **IT IS ORDERED** that each Respondent provide the Department and the Court information sufficient to establish the parentage and immigration status of the children, including but not limited to marriage records, birth or death certificates, baptismal records, social security cards, records of lawful permanent residence ("green cards"), naturalization certificates, and any other Immigration and Naturalization Service records of lawful entry.
- 3.7. **IT IS ORDERED** that each Respondent furnish to the Department all information necessary to ensure the Department has an adequate medical history for the children, including but not limited to the immunization records for the children and the names and addresses of all physicians who have treated the children.
- 3.8. **IT IS ORDERED** that each Respondent provide the Department information regarding the medical history of the parent and parent's ancestors on the medical history report form, pursuant to § 161.2021, TEXAS FAMILY CODE.
- 3.9. **IT IS ORDERED** that all of the information required above be provided as ordered no later than the date of the full adversary hearing to be held in this cause.

4. **Full Adversary Hearing.**

A full adversary hearing under § 262.201, TEXAS FAMILY CODE will be held at the time and place set out below. At this hearing, the Court will consider issuing the following temporary orders:

- 4.1. A provision appointing the Department temporary sole managing conservator of the children, with all of the rights and duties listed in § 153.371, TEXAS FAMILY CODE, pending the final disposition of this suit;
- 4.2. An authorization of the Department to consent to medical care for the subject children, pursuant to § 266.004, TEXAS FAMILY CODE;
- 4.3. A provision pursuant to § 154.001(b), TEXAS FAMILY CODE, ordering each of the parents of the children to make payments for the temporary support of the children, pending final disposition of this suit, these child-support payments to be withheld from their disposable earnings;
- 4.4. A provision restricting each parent's possession of and access to the children the subject of this suit;
- 4.5. A provision ordering each of the parents of the children to submit to psychological and/or psychiatric examinations;
- 4.6. A provision ordering each parent of the children to attend counseling sessions to address the specific issues that led to the removal of the children from the home and any additional issues arising from the psychiatric and/or psychological examinations or from the counseling sessions;
- 4.7. A provision ordering each parent of the children to attend parenting classes as requested by the Department;
- 4.8. A provision ordering each Respondent to submit to a drug and alcohol assessment and to complete a substance abuse treatment program if needed;
- 4.9. A provision ordering each parent of the children to comply with each requirement set out in the Department's original, or any amended, service plan during the pendency of this suit, as provided by § 263.106, TEXAS FAMILY CODE;
- 4.10. A provision ordering each Respondent to provide the Court and the Department with a current residence address and telephone number, at which each can be located and contacted;
- 4.11. A provision ordering each Respondent to notify the Court and the Department of any change in his or her residence address or telephone number within five (5) days of a change of address or telephone number;

APPENDIX A

4

CAUSE NOS. 2779-2903

IN THE INTEREST OF	§	IN THE DISTRICT COURT OF
CHILDREN REMOVED FROM	§	SCHLEICHER COUNTY, TEXAS
YFZ RANCH	§	51 ST JUDICIAL DISTRICT

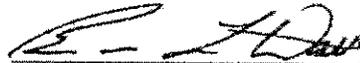
ORDER ON PLACEMENT OF CHILDREN

1. The Court finds that on April 9, 2008, the Court entered an Order Regarding Placement (the "Placement Order"), which ordered the Department to maintain the physical presence of the children the subject of the above-referenced causes in the Court's judicial district.
2. The Court finds that on April 12, 2008, the Court entered an Order Lifting Certain Restrictions On Placement, which authorized the Department to proceed with placement of some of the children the subject of the above-referenced causes outside the Court's judicial district.
3. The Court finds that on April 17-18, 2008, the Court held an adversary hearing in the above-referenced causes pursuant to Section 262.201, TEXAS FAMILY CODE. The Court further finds that, at the conclusion of the adversary hearing, the Court found that that the children the subject of the above-referenced suits should remain in the sole temporary managing conservatorship of the Department.
4. The Court finds that the Department has a placement plan for the remaining children the subject of the above-referenced cause numbers at the locations listed on **Appendix "A"** attached hereto and incorporated herein by this reference for all purposes. The Court finds that allowing the Department to proceed with such placements would be in the best interest of the children the subject of this suit.
5. **IT IS, THEREFORE, ORDERED** that the restrictions contained in the Placement Order precluding the Department from placing any of the children outside this Court's judicial district is modified as set forth below:
 - A. The Department may begin to transport to and place the children the subject of the above-referenced causes at the placements set forth on **Appendix "A"** at such time and under such circumstances as determined appropriate by the Department,

with such children to remain at such location or at such other locations approved by the Court.

B. This Order On Placement Of Children shall take effect immediately.

SIGNED: April 22, 2008



JUDGE PRESIDING

Placements

When looking to place any child in foster care, consideration is given to their age, member of a sibling group, and any special needs they have. Selection of placements for these children was based on the needs of the children to remain together and available capacity.

The majority of the placements identified below have the ability to keep these children separate from the other children currently placed at the facility. Based on the specialized needs of this population information has already been shared about their background and culture with the facilities where they have been placed. Additionally, CPS will be arranging a meeting with all the providers and staff to discuss emerging needs of the children. Support will also be provided from the Administration of Children and Families to provide any additional resources that may be needed.

Educational needs will be assessed and appropriate strategies will be developed to ensure the children receive any needed educational and developmental services. Medical records will be provided upon placement.

Identification of subsequent placements for children placed in emergency shelters will be identified. Discussions will also be held with emergency shelter's regarding their willingness to provide longer-term care.

Guidelines:

- Minor mothers will be placed with their babies.
- Pregnant minors will be placed in the same placement with minor mothers (and their babies).
- Children under 12 months will be placed in foster homes together with their siblings who are under 5 years.
- Every attempt will be made to place siblings together.
- Boys 8 and older will be placed in the same setting as previously placed older boys.

Region 1

- Cal Farley's

- Presbyterian Home in Amarillo

Region 2/9

- High Sky Children's Ranch - Emergency Shelter

- Hendricks Home of Abilene

Region 3

- Assessment Center of Tarrant County/Catholic Charities

- Presbyterian Home in Waxahachie

Region 6

- Kidz Harbor

APPENDIX A

- Boys and Girls Country of Houston

Region 7

- Methodist Children's Home

- Austin Children's Shelter

Region 8

- Seton House

- Baptist Children's Home Ministries Res Emergency Shelter

- St. Peter's/St. Joseph Emergency Shelter

- Boysville, inc.

- The Children's Shelter

Region 11

- The Ark Assessment Center and Emergency Shelter