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IN THE CIRCUIT COURT FOR THE STATE OF OREGON
FOR THE COUNTY OF LINN

IN THE MATTER OF:)	
)	
KYLA MAZHARY-CLARK,)	CASE NO. 19DR03123
)	
PETITIONER,)	RESPONDENT'S EX PARTE MOTION &
)	DECLARATION FOR ORDER TO SHOW CAUSE
and)	(Set Aside General Judgment; or, in the alterna-
)	tive Modify Supplemental Judgment)
JAMIE CROMPTON (fka CLARK),)	
)	Filing Fee: ORS 21.205(1)
RESPONDENT,)	
)	
and)	
)	
KENNETH CLARK,)	
)	
RESPONDENT.)	

MOTION

Respondent (hereafter Mother), Jamie Crompton (fka Clark), through attorney William Boaz, moves the court for an order requiring Petitioner, Kyla Mazhary-Clark, and Respondent (hereafter Father), Kenneth Clark, to show cause why the Order of Default of Respondent (Jamie Clark) signed on June 25, 2019, by Judge Kittson-MaQatish and the General Judgment of Psychological Parent Custody (ORS 109.119) signed on August 14, 2019, by Judge Kittson-MaQatish should not be set aside for fraud upon the court pursuant to ORCP 71C and an opportunity granted to Mother to file a response in the ORS 109.119 matter; or, in the alternative, why the court should not modify the custody provisions of the same General Judgment of Psychological Parent Custody (ORS 109.119) and/or the parenting time provisions of the Supplemental Judgment Modifying Parenting Time signed on June 26, 2023, by Judge Caso as follows:

1.

Custody. Mother should have sole legal custody and control of Mother and Father's biological

RESPONDENT'S MOTION & DECLARATION FOR ORDER TO SHOW CAUSE (Modification)



1 children, Sage Rose Clark (age 7) and Sadie Reed Jean Clark (age 6).

2 (a) **Parenting Plan.** The court should adopt a parenting plan, as required by ORS
3 107.102, that serves the children's best interests. If Petitioner does not contest this matter,
4 Petitioner's parenting time with the children should be phased out in accordance with the par-
5 enting plan Mother proposes at the time of default. After Petitioner's parenting time is phased
6 out, Petitioner should no longer have any rights as a parent to the children and this case should
7 be dismissed because, before the initiation of this case, there was already custody and parenting
8 time provisions regarding Father and Mother's biological children in Father and Mother's Gen-
9 eral Judgment of Dissolution of Marriage entered in Benton County Case No. 17DR17271. If
10 Respondent does not contest this matter, Respondent should continue to have parenting time
11 with the children in accordance with the General Judgment of Dissolution of Marriage entered
12 in Benton County Case No. 17DR17271.

13 (b) **Parental Rights.** Pursuant to ORS 107.154, each parent should have, to the same
14 extent as the other parent, the following authority:

15 (1) To inspect and receive school records and to consult with school staff
16 concerning Sage and Sadie's welfare and education;

17 (2) To inspect and receive governmental agency and law enforcement rec-
18 ords concerning Sage and Sadie;

19 (3) To consult with any person who may provide care or treatment for Sage
20 and Sadie and to inspect and receive Sage and Sadie's medical, dental and psycholog-
21 ical records;

22 (4) To authorize emergency medical, dental, psychological, psychiatric or
23 other health care for Sage and Sadie; and

24 (5) To apply to be Sage and Sadie's conservator, guardian ad litem, or both.

25 (c) **Contact Information.** Pursuant to ORS 107.164, each party should have a con-
26 tinuing responsibility to:

27 (1) Provide his or her home (not just mailing) address; home, work, and mo-
bile telephone numbers; and email address to the other party; and

(2) Notify the other party of any emergency circumstances or substantial

1 changes in the children's health.

2 (d) **Notice of Relocation.** Pursuant to ORS 107.159, neither parent should move to
3 a residence that is more than 60 miles further distant from the other parent without giving the
4 other parent reasonable notice of the change of residence and providing a copy of such notice
5 to the court.

6 2.

7 **Attorney Fees and Costs.** If Petitioner contests the Motion to Set Aside the Judgment for fraud,
8 Petitioner should pay Mother's attorney fees and costs, as authorized by ORS 109.119(7)(b) and, if
9 Petitioner contests the Motion to Modify, Petitioner should pay Mother's attorney fees and costs, as au-
10 thorized by ORS 107.135(8) which is applicable to modifications of judgments under ORS 109.103 (initial
11 custody case between non-married parents) and is, therefore, also applicable to modifications of judg-
12 ments under ORS 109.119 (initial psychological parent case between non-married parents). If Father
13 contests the Motion to Set Aside the Judgment for fraud, Father should pay Mother's attorney fees and
14 costs, as authorized by ORS 109.119(7)(b) and, if Father the Motion to Modify, Father should pay
15 Mother's attorney fees and costs, as authorized by ORS 107.135(8) which is applicable to modifications
16 of judgments under ORS 109.103 (initial custody case between non-married parents) and is, therefore,
17 also applicable to modifications of judgments under ORS 109.119 (initial psychological parent case be-
18 tween non-married parents).

19 **POINTS AND AUTHORITIES**

20 This motion is based on ORCP 71C, ORS 109.119, ORS 107.135, and the declaration below.

21 ORCP 71C authorizes the court to "set aside a judgment for fraud upon the court." The court has
22 inherent authority to set aside a judgment for fraud if the fraud was extrinsic. See Freise v Himmel, 23 Or
23 145 (1894). Extrinsic fraud is a collateral act unrelated to the factfinder's consideration of the merits of
24 the case, while intrinsic fraud consists of acts directly related to the merits of the case. Johnson v John-
25 son, 203 Or 382, 384 (1986). An example of extrinsic fraud includes keeping a party in ignorance of an
26 action. JRD Development Joint Venture v Catlin 116 Or App 182, 184-5 (1992) (citing Caldwell v Taylor,
27 218 Cal 471 (1933)). Extrinsic fraud justifies relief from a judgment because there is no real trial of the

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1 issues. W.R & N. Co. v Reid, 155 Or 602, 610 (1937).

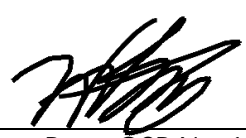
2 While perjury at trial where both parties are present is generally considered intrinsic fraud be-
3 cause the other party is present to refute the perjury directly related to the merits of the case, perjury is
4 considered extrinsic if the perjury prevents the other party from participating in the trial where that party
5 could otherwise refute the perjury related to the merits of the case.

6 Mother has brought 3 separate actions to set aside the General Judgment of Psychological Par-
7 ent Custody (ORS 109.119) signed on August 14, 2019, by Judge Kittson-MaQatish, that were all denied.
8 However, as described in her declaration below, Mother received information after the most recent set-
9 aside and modification hearings that, taken together with Petitioner’s testimony at the modification hear-
10 ing, demonstrate Petitioner was aware of Mother’s address and committed fraud on the court for failing
11 to correct the representation that Petitioner didn’t know Mother’s whereabouts, previously conveyed to
12 the court in Petitioner’s declaration in support of Petitioner’s motion for default, before requesting a
13 judgment against Mother by default.

14 If the court denies Mother’s Motion to Set Aside the Judgment, ORS 107.135(1)(a), applicable
15 through ORS 109.103(1), allows the court to modify custody and parenting time provisions of a previ-
16 ously entered judgment.

17 DATED: 09/24/2023

18 **BOAZ LEGAL, P.C.**

19 

20 _____
21 William Boaz, OSB No. 113313
22 Email: *william@boazlegal.com*
23 Attorney for Respondent

24
25
26
27

1 **DECLARATION**

2 I, Jamie Crompton (fka Clark), Respondent herein, hereby declare the following:

3 1. **Background.** In February 2017, I moved in with my friend, April, that I knew from work
4 when I was going through a divorce from my husband in Benton County Case 17DR17271. At the time,
5 April and Petitioner, Kayla Mazhary-Clark, were in a romantic relationship and, at the time I moved in,
6 Petitioner was also living at April's residence. However, around the time I moved in, Petitioner and April
7 began to argue more often, and, in April 2017, Petitioner moved out of the residence. After Petitioner
8 moved out, Petitioner would occasionally be around the children when Petitioner's girlfriend watched
9 the children while I worked until January 2018 when I moved with the children to Illinois.

10 2. After I moved to Illinois, I became better friends with Petitioner as we would commiserate
11 about Petitioner's girlfriend on the phone. Petitioner came out to visit me and the children in the
12 summer of 2018 for the children's birthday party. While there, Petitioner started talking about the possibility
13 of starting a relationship and asked me if I would consider moving back to Oregon into her residence.
14 Those talks accelerated when Petitioner came back out in November 2018 for a visit, and I eventually
15 agreed. Petitioner offered to take my children back to Oregon, while I packed and drove our belongings
16 back to Oregon over the next couple weeks. Petitioner, who was a law student at the time, asked me
17 to sign a short-term guardianship document, which Petitioner explained allowed her to take
18 the children on a plane and register them in daycare until I got out to Oregon.

19 3. However, as soon as Petitioner left with the children, Petitioner informed me that she
20 didn't want a relationship with me and was not going to return the children. I left all my belongings in
21 Illinois and immediately took a train to Oregon. When I arrived in Oregon, I went to Petitioner's house,
22 where Petitioner informed me that Petitioner had legal guardianship of the children. I felt I couldn't do
23 anything because I could not afford an attorney and believed Petitioner because Petitioner was a law
24 student. Therefore, I followed a "parenting plan" that Petitioner imposed.

25 4. In February 2019, I became frustrated with the control Petitioner was unreasonably exercising
26 over my children and began to research the "guardianship" as best I could. After talking with
27 the courts in Oregon and Illinois, I eventually learned the guardianship documents were never filed in in

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1 Oregon or Illinois and, therefore, were not legally valid. That same day, during my “parenting time” with
2 my children, I informed Petitioner what I learned and relayed to Petitioner that I indeed still had legal
3 custody of my children. From then forward, I broke-off all contact with Petitioner and, soon thereafter,
4 left Albany, Oregon, with my children.

5 5. Unbeknownst to me, on February 14, 2019, right after I broke-off contact with Petitioner,
6 Petitioner filed a Petition for Psychological Parent Custody requesting custody of my two biological chil-
7 dren, Sage and Sadie Clark. Petitioner is not related to me or my children and, as described above, had
8 only lived with me and my children for approximately two (2) months between February 2017 and April
9 2017, and, again for approximately three (3) more months between November 2018 and February 2019.

10 6. In reviewing the court documents, Petitioner filed a motion to serve me and my ex-hus-
11 band by posting with the court on April 25, 2023, because her process server had tried to serve me at
12 my last known address and job in Albany, Oregon, several times without success. The order was signed
13 by the court the same day allowing service by posting. Petitioner eventually hired a process server to
14 post notice on the board outside the clerk’s office at the Linn County Courthouse on May 20, 2019.

15 7. I was not residing in Linn County at the time and never received notice. Therefore, on
16 June 24, 2019, Petitioner filed a Motion for Default against me, and an Order of Default was signed by
17 the court the following day. On August 14, 2019, the court signed a General Judgment of Psychological
18 Parent Custody granting custody of my children to Petitioner, even though the children were in my ex-
19 clusive care since February 2019.

20 8. In October 2019, I heard that Petitioner was “looking for me,” so I reached out to Peti-
21 tioner to see what she wanted. Petitioner relayed to me that she was just checking in to see how we were
22 doing. Thereafter, I slowly began rebuilding my relationship with Petitioner. In December 2019, I felt like
23 things were better with Petitioner, so I asked her to watch the children for several weeks while I worked
24 on obtaining a restraining order against a stalker that was harassing me. At no times between October
25 2019 and December 2019 did Petitioner ever mention anything about the custody judgment she had
26 obtained from the court. However, when I attempted to pick-up the children from Petitioner in January
27 2020, Petitioner did not respond to any texts, calls, or knocks at her door. I contacted the police, who

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1 contacted Petitioner. Petitioner informed police about the 3rd party custody judgment and the police
2 conveyed that to me. This was the first I learned about this judgment.

3 9. **Motion to Set-Aside.** Since then, I have tried three (3) times to set-aside the judgment.
4 In June and October 2021, I tried on my own because I didn't have the money to hire an attorney. In
5 January 2021, I was able to put together enough money to hire an attorney, who tried to set-aside the
6 judgment in May 2022. All these attempts were rejected by the court because they were outside the
7 one-year limitation to set aside a judgment required by ORCP 71B.

8 10. On January 26, 2023, the court held a hearing on my alternative Motion to Modify (filed
9 with my 3rd Motion to Set Aside) and granted me parenting time with my children. During that hearing,
10 under cross-examination, Petitioner testified that she had called DHS on me in July 2019.

11 11. After the hearing, I requested records from DHS. In reviewing the attached DHS Assess-
12 ment Summary (marked Exhibit 1) regarding the call placed by Petitioner on July 19, 2019, I learned that
13 Petitioner, as of that date, knew that I was living in Ashland, Oregon, and had given DHS an address
14 (which was my aunt's address) to reach me. Eventually, I met with the DHS worker and the case was
15 eventually closed as "Unfounded."

16 12. Based on this new information, I ask the court to set aside the judgment for fraud on the
17 court. Based on the timeline from the court file, Petitioner clearly knew I was not living in Linn County
18 and believed I was living in Ashland, Oregon (Jackson County) as of July 19, 2019. Petitioner did not
19 submit the General Judgment of Psychological Parent Custody until July 26, 2019, as shown by her Cer-
20 tificate of Readiness. On August 7, 2019, the court issues a "Notice of Problems with Documents" for
21 Petitioner's failing to submit a motion for judgment in lieu of hearing and a declaration stating why no
22 parenting time for the mother is reasonable under the circumstances and rejected the judgment.

23 13. On August 9, 2019, Petitioner submitted a Motion for Entry of Judgment Without a Hear-
24 ing and a declaration that failed to inform the court that Petitioner, at the very least, knew that I didn't
25 live in Linn County and would not have received notice of her petition. In fact, Petitioner knew that I was
26 living in Ashland, Oregon, because Petitioner reported that fact to DHS on July 19, 2019, almost a month
27 before Petitioner submitted this motion and declaration.



929237
 Doty, Courtney
 (541)776-6120
 909 Royal Court
 Medford OR 97504

ASSESSMENT SUMMARY

CLARK, JAMIE, L. (929237)

INITIAL CONTACT REQUIRED BY: 07/22/2019

Report Type:	CPS	Category:	Familial
Date/Time Reported:	07/19/2019	Allegations:	Threat of Harm, Threat of Harm
Status:	Completed	Sensitive Case:	<input type="checkbox"/>
Response Time:	Within 72 hours	Assigned Worker:	Doty, Courtney
Response Track:	Non-DR County		

CASE CONTACT INFORMATION:

Case Name:	CLARK, JAMIE L.	Phone:	[REDACTED]
Street:	[REDACTED]	Interpreter Required?	<input type="checkbox"/>
City, State & Zip Code:	[REDACTED]	Household Language(s):	
Worker Safety Concerns?	<input type="checkbox"/>	Possible Refugee:	<input type="checkbox"/>
Parent/Caregiver	Type	Address	Type Phone & Email

KENNETH M. CLARK	Primary Addresses	[REDACTED]	Phone	[REDACTED]
------------------	-------------------	------------	-------	------------

ASSESSMENT PARTICIPANTS:

Child(ren)	Age	DOB	Gender	Roles	Relationship	Race	Language	Tribe?
SAGE R. CLARK	3	[REDACTED]	Female	AV, HM	Child - Biological	White		
SADIE R. CLARK	2	[REDACTED]	Female	AV, HM	Child - Biological	Unable to Determine		

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Parent/ Caregiver(s)	Age	DOB	Gender	Roles	Relation ship	Race	Language	Tribe?
-------------------------	-----	-----	--------	-------	------------------	------	----------	--------

JAMIE L. CLARK	27	02/05/1 992	Female	AP, CN, HM, PR	Self	White		
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KENNETH M. CLARK	30		Male	NM, PR	Ex- Spouse	White		
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Other Adult(s)	Age	DOB	Gender	Roles	Relation ship	Race	Language	Tribe?
-------------------	-----	-----	--------	-------	------------------	------	----------	--------

--	--	--	--	--	--	--	--	--

SCREENING REPORTS LINKED TO ASSESSMENT

CHILD PROTECTIVE SERVICES CASES ONLY:

ALLEGATIONS:

Does the report allege a death by abuse, serious injury, or aggravated circumstances?

Date	Alleged Victim	Alleged Perpetrator	AP Relationship to Victim	A/N Code	Description	F	
07/19 /2019	CLARK, SAGE, R.	CLARK, JAMIE, L.	Mother		Threat of Harm	Threat of Harm: Neglect	<input type="checkbox"/>
07/19 /2019	CLARK, SADIE, R.	CLARK, JAMIE, L.	Mother		Threat of Harm	Threat of Harm: Neglect	<input type="checkbox"/>

SCREENING INFORMATION:

Screening Report #:	3190142	Screeener's Name:	SOPHIE NEWTON
Report Type:	CPS	Category:	Familial
Date/Time Reported:	2019-07-19 17:52:00.0	CPS Allegations:	Threat of Harm, Threat of Harm
Response Time:	Within 72 hours	Police Report #:	

Screening Decision Narrative:

CPS 72 HR
929237 Jamie Clark
Allegations of TOH NEG to Sadie Clark, 2, and Sage Clark, 3 by mother, Jamie Clark.
Caller reports concern for Sage and Sadie due to mother's history of mental health issues and erratic and impulsive behavior. RP says in the past Sage and Sadie would come home from visits frightened

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at being changed or being bathed which suggested possible abuse to caller. RP says mother would lock Sage in the bathroom as a form of potty learning. Of additional concern is reported prior CPS involvement in Illinois for possibly sexual abuse.

REPORT NARRATIVE:

Report Summary:

RP is calling Hotline with concern for Sage Clark 3, and Sadie Clark, 2, who are believed to be with mother, Jamie Clark, possibly staying with Jamie's aunt or grandmother in Ashland, OR.

Records indicate Sadie and Sage were born in Illinois. There are no birth records here in Oregon, however Kenneth Clark is listed in ORKIDS as father. [REDACTED], Jamie is living at [REDACTED], [REDACTED]. This address corresponds to address given by RP for Jamie's aunt [REDACTED].

RP says in January 2018, in Illinois, Jamie left an abusive relationship and moved in with a friend, [REDACTED]. A few months later she agreed to a stipulated guardianship with [REDACTED] to care for the kids. [REDACTED] went to Oregon, and Jamie eventually followed and started getting parenting time with the girls. RP says last year Jamie became involved with a couple - [REDACTED] and [REDACTED] - who abused Jamie in the presence of the girls. RP does not have specific information as to what happened. RP says the three of them were involved in a polyamorous relationship.

In April of this year, RP says Jamie left Oregon with the girls and went to Texas to meet up with [REDACTED] and [REDACTED] again. RP says Texas opened a CPS case but wasn't sure if authorities ever made contact. RP recently learned mom and the girls are back in Oregon.

RP also says Illinois CPS was involved with Jamie and the girls due to sex abuse, possibly by Jamie, and the girls were removed for a couple of months. RP also heard Jamie was in a psychiatric hospital for a few months. RP says Jamie told them she was diagnosed with Bipolar Illness, Borderline Personality Disorder, and autism. RP says Jamie has stated that she can't handle it when the girls scream, due to her mental health issues.

RP is concerned for Sage and Sadie because Jamie used to leave the girls in their playpens for extended periods; would not change their diapers, resulting in diaper rash. Sadie would smear her feces. RP says Jamie addressed potty learning with Sage by locking her in the bathroom until she used the toilet. RP says Jamie tends to be very impulsive and erratic. She will usually just ignore the girls. She's moved 9 times in the last year.

RP is also concerned Jamie may be sexually abusing the girls but has no proof, only that when they used to come back from visits with their mother, they would panic when being changed, and would refuse to be bathed.

RP says [REDACTED], recently filed for custody as the psychological parent of Sadie and Sage and expects it will be signed soon. RP says once the order is signed and the girls are located, [REDACTED] will seek assistance from authorities with picking up the girls.

Adult Functioning:

RP says Jamie can be very erratic and impulsive and moves all the time. RP says Jamie has disclosed she was diagnosed with Borderline Personality Disorder, Bipolar Disorder, and autism.



Parenting Practices:

RP says Jamie used to leave the girls in their playpens for extended periods; would not change their diapers, resulting in diaper rash. Sadie would smear her feces. RP says Jamie tends to be very impulsive and erratic. She will usually just ignore the girls.

Disciplinary Practices:

RP says Jamie addressed potty learning with Sage by locking her in the bathroom until she used the toilet.

CW History:

929237 Jamie Clark (closed)

01/16/2018 - CAS - call of concern received re the safety and wellbeing of Sage Clark, age 1, and Sadie Clark, age 6 months. The concern is for neglect to the children by their mother, Jamie Clark. Reporter states that Jamie may have some developmental issues, and has the mentality of a 13 year old. Reporter states that Jamie had been living with a woman named [REDACTED] with her children, but recently 'took off' with a couple from Illinois, after meeting them on the internet. Reporter states that Jamie decided to be in a polyamorous relationship with them and one day recently they drove from Illinois, picked up Jamie and the children, and took them back to Illinois. Jamie had told [REDACTED] about this about an hour before she left. Reporter is concerned because they believe that [REDACTED] had actually been providing most of the care for the children. Reporter states that Jamie has completely cut off ties with her family, including her grandparents who have been very supportive and involved in her and the children's lives. Reporter states that Jamie has been posting pictures of herself and the children on Facebook, and they seem happy. Reporter states that the couple that Jamie moved with is [REDACTED], (is transitioning to a male) and [REDACTED]. [REDACTED] This report was cross reported to the Illinois [REDACTED]

Describe the child(ren)'s injury or conditions as a result of the alleged abuse/neglect:

Caller reports concern for Sage and Sadie due to mother's mental health issues and erratic and impulsive behavior. RP says Sage and Sadie would come home from visits frightened at being changed or being bathed which suggested possible abuse to caller. RP says mother would lock Sage in the bathroom as a form of potty learning.

Describe the child(ren)'s current location, school/daycare including dismissal time, functioning, including special needs, if any, and highlighting current vulnerability, and cultural and language considerations:

According to [REDACTED] Jamie is living at [REDACTED] This address corresponds to address given by RP for Jamie's aunt [REDACTED].

Describe parent and/or caregiver's current location, any cultural/language considerations, and family functioning (if known):

Describe any criminal history of household members and/or concerns for worker:

ALLEGED PERPETRATOR NARRATIVE:

Who is the alleged perpetrator and what is their relationship and access to the child:

Provide the name, age, and current location of any other children who may be unsafe and describe the relationship between these children and reported circumstances:



Name and contact information of child's guardian:
--

PRIOR INVOLVEMENT & ASSESSMENT NARRATIVE

PRIOR INVOLVEMENT:

Date	Case Name	Perpetrator Name	Report Type	Category or Allegation	Result or Disposition
07/19/2019	CLARK, JAMIE, L.	N/A	CPS Report	Threat of Harm	Unfounded
01/29/2018	CLARK, JAMIE, L.	N/A	CPS Report	Neglect	Closed at Screening

ASSESSMENT ACTIVITIES INDEX:

Date/Time Occurred	Type	F-to-F Contact Type	F-to-F Result	Participants	Worker
7/22/19, 1:30 PM	Alleged Perpetrator			CLARK, JAMIE L.	Doty, Courtney
Attempted to make initial contact with Jamie at the address listed on screening report. No answer, no cars in the drive way.					
7/22/19, 2:30 PM	Other				Doty, Courtney
Date and Time Received Referral: 07/22/2019 @ 10:05am					
History and associated cases: Reviewed CW and criminal history					
Previous "Unable to locates": n/a					
ICWA: filled out with parent and scanned into ORKIDS					
Refugee Status: n/a					

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Pamphlet 1536: provided to mother					
Self Sufficiency: contacted SS worker					
Photos: n/a					
RS Contact: Contacted the RS and gathered more information					
Condition of the home: Viewed all living areas of the home- bedrooms adequately furnished, kitchen organized with adequate food.					
7/23/19, 2:00 PM	Alleged Perpetrator			CLARK, JAMIE L.	Doty, Courtney
Attempted to make contact again at address listed in screening report and in TRACS, no answer. Left business card with note asking Jamie to call me.					
7/23/19, 2:41 PM	Collateral				Doty, Courtney
Spoke to reporting source to gather more information.					
7/24/19, 8:36 AM	Alleged Perpetrator			CLARK, JAMIE L.	Doty, Courtney
Jamie called and left me a voicemail. I tried to return her call but no answer.					
7/25/19, 2:28 PM	Alleged Perpetrator			CLARK, JAMIE L.	Doty, Courtney
Spoke to Jamie. She said that the only time she is available to meet with me is on Wednesday, July 31 @9am. She stated that this is her only day off between now and then.					
7/30/19, 1:30 PM	Alleged Victim	Worker/Child	Scheduled Contact Occurred	CLARK, SAGE R.; CLARK, SADIE R.	Doty, Courtney
f2f contact with Sage and Sadie at their mother's residence. Both girls were napping upon arrival. Saw where they sleep. Sadie woke up while this worker was at the home, but Sage stayed sleeping the entire time.					
7/30/19, 1:30 PM	Alleged Perpetrator	Worker/Family	Scheduled Contact Occurred	CLARK, JAMIE L.	Doty, Courtney
Met Jamie at her home. Filled out ICWA, Father's Questionnaire, and Initial Contact Form. Gathered domain information.					
8/1/19, 3:16 PM	Non-Custodial Parent/Caregiver			CLARK, KENNETH M.	Doty, Courtney
Attempted to reach Kenneth Clark, no answer and VM was full					
8/2/19, 1:20 PM	Collateral				Doty, Courtney
Caseworker Carrie Otto called [REDACTED] gather collateral information.					
8/5/19, 9:39 AM	Collateral				Doty, Courtney

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Spoke with [REDACTED] and gathered some collateral information.					
8/7/19, 9:40 AM	Non-Custodial Parent/Care giver			CLARK, KENNETH M.	Doty, Courtney
Attempted to reach Kenenth Clark, no answer and VM full. Sent him a text requesting a call back.					
8/7/19, 11:15 AM	Other Professional				Doty, Courtney
Spoke to Jerry Feingold at Department of Children and Family Services in Champaign, Illinois about assessment that was open on Jamie Clark in their county last year.					
8/12/19, 2:05 PM	Non-Custodial Parent/Careg iver			CLARK, KENNETH M.	Doty, Courtney
Spoke to Kenneth. He states that he does not parent the children nor see them very much. He has no concerns with Jamie's parenting.					

COMPREHENSIVE ASSESSMENT

FUNCTIONING:

Child Name	DOB	Child Functioning
CLARK, SAGE	[REDACTED]	Sage is a 3-year-old female born on [REDACTED]. ICWA does not apply. Mother confirms that Kenneth Clark is the legal father. They were married at the time Jamie became pregnant with Sage. Jamie said that Sage has a big vocabulary and can form full sentences when talking. Jamie is working on potty training with Sage. She showed me the potty chart and schedule that they have developed. Each time Sage sits on the potty, she gets a small sticker. If she actually uses the potty to go to the bathroom, she will get a special sticker. Jamie just switched pediatricians; her children now see Linda Niehaus at Family Medicine in Ashland. She is in the process of scheduling new patient exams. The children previously went to Southern Oregon Pediatrics. Jamie reports that Sage is developmentally on track and has no behavioral issues. Jamie states that Sage is very outgoing and independent.
CLARK, SADIE	[REDACTED]	Sadie is a 2-year-old female born on [REDACTED]. ICWA does not apply. Mother confirms that Kenneth Clark is the legal father. They were married at the time Jamie became pregnant with Sadie. Jamie reports that Sadie talks quite a bit but does not form full sentences yet. Jamie reports that Sadie is developmentally on track and has no behavioral issues. Jamie said that she is starting to work on potty training with Sadie as well. Jamie just switched pediatricians; her children now see Linda Niehaus at Family Medicine in Ashland. She is in the process of scheduling new patient exams. The children previously went to Southern Oregon Pediatrics. Sadie is said to be a healthy child, other than being anemic. Jamie reports that Sadie is a shy and sensitive child. In a recent

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		CPS assessment of a daycare [REDACTED] it was alleged that Sadie got hurt while in the care of the daycare provider. She reportedly fell off a chair and hit the side of her face on the concrete. She has a gash on the side of her face. Mom took Sadie to the emergency room as soon as she picked her children up from daycare.
Adult Name	DOB	Adult Functioning

CLARK, JAMIE	02/05/1992	Jamie Clark is a 27-year-old female born on 02/05/1992. ICWA does not apply. She currently works at Walmart full time. She is divorced from Kenneth Clark, father to Sage and Sadie Clark. Her support system consists of her grandmother [REDACTED] and her aunt [REDACTED] who she is currently residing with. Jamie states that when she is feeling overwhelmed, she goes to her aunt [REDACTED] for support. She denies any substance use or alcohol consumption. She also denies any mental health diagnoses. Grandmother [REDACTED] said that Jamie is a very loving mother. She stated that Jamie is very attentive to the girls' needs. When asked how Jamie disciplines her children, grandma said that Jamie will set the girls in a chair for time out, which only lasts a couple of minutes. She said that she has no concerns with Jamie's parenting practices. Aunt [REDACTED] said that Jamie is a good mother. She stated that Jamie is very patient and caring to her children. [REDACTED] stated that Jamie has a good daily routine with the girls, that consists of meal times, story time, potty training, and bedtime. When asked how Jamie disciplines her children, [REDACTED] said that Jamie will put the girls in timeout. [REDACTED] said that Jamie gives a lot of positive reinforcement to Sage when working on potty training. She confirmed that Jamie does use a sticker chart with her and asks her multiple times throughout the day if she needs to go potty. [REDACTED] said that she has no concerns for Jamie's parenting, but is concerned in the fact that Jamie doesn't have a lot of income which can be a stressor for Jamie.
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PARENTAL PRACTICES:

Parent Name	DOB	Disciplinary Practices/Knowledge
CLARK, JAMIE	02/05/1992	Jamie said that she will put the girls in time out when they get in trouble. They will get 1 minute for each year old they are. Sadie will get 2 minutes in time out, and Sage will get 3 minutes. Jamie has a time out chair that the girls' sit in, and she puts a timer next to the chair, so they know when the time is up. The girls will get put in time out for fighting with each other or throwing things.
Parent Name	DOB	Parenting Practices/Knowledge



CLARK, JAMIE	02/05/1992	Jamie does not have a relationship with her parents. She feels like she has learned her parenting practices from her aunt and grandmother. Jamie states that she loves being a mother and will do anything for her girls. She reports that Sage and Sadie do not have much contact with their father, Kenneth. He is said to live in California. He comes up to Oregon occasionally, to see the kids, but the visits are always supervised by Jamie. Jamie provides care for both of her children and makes all the parenting decisions.
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EXTENT OF THE CHILD ABUSE OR NEGLECT:

A call of concern was received on 7/19/2019 alleging that Jamie was leaving her children, Sage and Sadie, alone in their playpen for an extended amount of time when she did not want to tend to their needs. It was also reported that Jamie was locking Sage in the bathroom until she went potty on the toilet, as a form of potty training. The concern being assessed is Neglect to Sage and Sadie Clark. Collateral contact, [REDACTED] whom Jamie and her children reside with, report that she has never seen Jamie leave her children in a playpen for an extended amount of time, nor lock Sage in the bathroom as a form of potty training. Unfortunately, Sage and Sadie were not able to speak with me about the allegations due to their ages. Father, Kenneth Clark, was contacted. He states that he does not parent the children and rarely sees them. He stated that he has no concerns with Jamie's parenting.

CIRCUMSTANCES SURROUNDING THE CHILD ABUSE OR NEGLECT:

When I arrived at Jamie's residence, she was willing to speak to me about the report and was cooperative with the assessment process. She said that the allegations were not true, and that she has no idea why someone who call and report her. She showed me around her home and noted that her children do not even have a playpen. She showed me where her children sleep. They were both laying down for a nap when I arrived. They were sleeping in the same bed, which was a large mattress that was low to the ground in a room off the living room area. Jamie then showed me the bathroom, which had a potty chart next to the toilet. The potty chart had multiple entries listed on it, dates and times, and stickers. Each time Sage sits on the potty, she gets a small sticker. If she actually uses the potty to go to the bathroom, she will get a special sticker. She said that she would never lock her children in the bathroom until they used it, stating that could have a negative effect on potty training. There is one previous Closed at Screening for Jamie Clark, alleging that Jamie may not have been providing care for her daughters, and took them to Illinois with her to live with a couple Jamie met on the internet. The report was Closed at Screening because the report did not constitute a report of child abuse or neglect, as defined in ORS 419B.005. The screener determined that the information described family conditions, behaviors, or circumstances that pose a risk to a child but did not meet the definition of an allegation of abuse at that time. Jamie mentioned that she had an open CPS case in Illinois. Illinois Department of Children and Family Services affirmed that Jamie had an open assessment in July of 2018. She was being assessed for possible sexual abuse to Sage. Police and Illinois DCFS found no signs of abuse during the course of their investigation; therefore, the case was closed as unfounded. Jamie does not have any criminal history in Oregon.



CHILD PROTECTIVE SERVICES CASES ONLY:

SAFETY THREAT IDENTIFICATION

Impending Danger Safety Threats	Vulnerable Child(ren)	Narrative
<p>A situation, attitudes, and/or behavior is such that one or both parents or caregivers lack parenting knowledge, skills, and motivation necessary to assure a child's safety.</p> <p>Threat Identified? No</p>		<p>Out of Control- There were no out of control behaviors, situations, or individuals identified at the conclusion of this assessment. Jamie has the parenting knowledge, skills, and motivation necessary to assure child safety.</p> <p>Observable- There are no specific behavioral ways the family condition is making the children unsafe. Nobody has observed Jamie leaving the children in the playpen for extended amounts of time, nor locking Sage in the bathroom as a form of potty training.</p> <p>Vulnerability- Sage and Sadie are both considered vulnerable due to their ages, 2 and 3, and are completely dependent on their caregiver to ensure safety and to make sure their needs are met.</p> <p>Imminent- There was no imminent threat of harm, that is likely to occur in the near to immediate future, identified for Sage or Sadie Clark at the conclusion of this assessment.</p> <p>Severity- There is no family condition that is likely to cause severe harm to Sage or Sadie in the near to immediate future.</p>

CHILD PROTECTIVE SERVICES CASES ONLY:

CPS ASSESSMENT CONCLUSION

ALLEGATIONS:

Alleged Victim	Alleged Perpetrator	AP Relation to Victim	Allegation	Description	Dispo.	F
CLARK, SAGE, R.	CLARK, JAMIE, L.	Mother	Threat of Harm	Threat of Harm: Neglect	Unfounded	<input type="checkbox"/>
CLARK, SADIE, R.	CLARK, JAMIE, L.	Mother	Threat of Harm	Threat of Harm: Neglect	Unfounded	<input type="checkbox"/>
This referral is being coded UNFOUNDED for THREAT OF						

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Justification for the Disposition:	HARM to Sage Clark and Sadie Clark as the victims and Jamie Clark being the alleged perpetrator. There was not sufficient evidence to support the allegation of threat of harm to Jamie's children. The claim that Jamie was leaving her children in a playpen for extended amounts of time, as well as locking Sage in the bathroom as a form of potty training, was not substantiated during the course of this assessment.
If Alleged Perpetrator is a Provider know to Child Welfare, Provider # is:	
Children were Removed as Part of this Assessment:	<input type="checkbox"/>
Service Application Signed:	<input type="checkbox"/>

CHILD SAFETY DECISION:

Child(ren)	DOB	Child Safety Decision
CLARK, SAGE, R.		Safe
CLARK, SADIE, R.		Safe
Basis for Child Safety Decision:	At the conclusion of this assessment, there was no identified safety threat found. Although Sage and Sadie are considered vulnerable due to their ages, Jamie does not lack the knowledge, skills or motivation necessary to ensure her children's safety. For further information, refer to the Safety Threshold Criteria.	

MODERATE TO HIGH NEEDS SERVICE DETERMINATION

Moderate to High Needs Present?	No	Explain:
Services Offered?		
Services Accepted?		

ASSESSMENT TIMELINES:

Assessment Completed by:	Doty, Courtney	Local Office:	Medford
Original Response Time:	Within 72 hours	Response Time Changed to:	
Approved by:		Approved on:	
Reason Time Changed:			
Original Due Date:	08/18/2019	Final Assessment Due Date:	08/18/2019
First Extension Requested:		Date First Extension Granted:	
First Extension Granted by:			
Reason:			
Second Extension Requested:		Date Second Extension Granted:	
Second Extension Granted by:			
Reason:			

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FAMILY SUPPORT SERVICES CASES ONLY:

FSS ASSESSMENT CONCLUSION

SERVICE CONCLUSION:

Assessment Completed by: Doty, Courtney		Local Office: Medford	
Service Determination:			
Justification for FSS Eligibility:			
Conclusion:		Reason:	
Conclusion Explanation:			
Service Application Signed:			<input type="checkbox"/>
Voluntary Placement Agreement Signed (FSS Only):			<input type="checkbox"/>
Voluntary Custody Agreement Signed (FSS Only):			<input type="checkbox"/>



CASE PARTICIPANTS

CHILD CASE PARTICIPANT(S):

Name	Age	DOB	Gender	Roles	Relationship	Race	Language	ID	Hshld
CLARK, SAGE, R.	6		Female	AV, HM	Child - Biological	White		6033969	Y
CLARK, SADIE, R.	5		Female	AV, HM	Child - Biological	Unable to Determine		6033970	Y

PARENT/CAREGIVER CASE PARTICIPANT(S):

Name	Age	DOB	Gender	Roles	Relationship	Race	Language	ID	Hshld
CLARK, KENNETH, M.	33		Male	NM, PR	Ex-Spouse	White		5715206	N
CLARK, JAMIE, L.	30	02/05/1992	Female	AP, CN, HM, PR	Self	White		6033968	Y

OTHER ADULT CASE PARTICIPANT(S):

Name	Age	DOB	Gender	Roles	Relationship	Race	Language	ID	Hshld

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REPORTER

CONFIDENTIAL REPORTER INFORMATION:

Oregon DHS Child Welfare will not disclose the identity of the reporter unless one or more of the following circumstances applies:

- disclosure is to a Law Enforcement Agency (LEA) for purposes of investigating the report,
- disclosure is required because the reporter may need to testify as a witness in court, and/or
- the court orders the Department to disclose the identity of the reporter.

