

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

Appeal from Laurens County

Frank R. Addy, Circuit Court Judge

RECEIVED

AUG 14 2015

S.C. Supreme Court

MARCUS D. YOUNG,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2014-002631

S U P P L E M E N T A L A P P E N D I X

WANDA H. CARTER
Deputy Chief Appellate Defender

South Carolina Commission on Indigent
Defense
Division of Appellate Defense
PO Box 11589
Columbia, SC 29211-1589

ATTORNEY FOR PETITIONER

ALAN WILSON
Attorney General

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Assistant Attorney General

P. O. Box 11549
Columbia, SC 29211

ATTORNEYS FOR RESPONDENT

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RESPONDENT STATE'S EXHIBIT # 1 (DSS REPORT)1

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MAR 19 2009

STATE OF SOUTH CAROLINA
CHILDREN'S FOSTER CARE REVIEW BOARD 8A

Advisory Decisions and Recommendations

GOVERNOR'S OFFICE
DIV. OF FOSTER CARE REVIEW

IN RE: BILLINGS, Gabriel Donevan Johnson (DOB: [REDACTED])
SMITH, Duncan Lastat Aryiel (DOB: [REDACTED])
SMITH, Willow Dawn Ivy (DOB: [REDACTED])
Laurens County Family Court 08-DR-30-595
Defendants: Lindsay B. Smith, Marcus Young, Christopher David Diaz
John Michael Smith

REVIEW: February 10, 2009 (FIRST REVIEW)

PRESENTED BY: Laurens County Department of Social Services
Vivian Stephens, Supervisor, presenting for Spencer Wright, Case Manager

I. REVIEW BOARD RECOMMENDATION and TIME FRAME:

Termination of parental rights and adoption within six months

II. CASE INFORMATION:

DATE ENTERED FOSTER CARE: August 29, 2008

REASON ENTERED CARE: On July 31, 2008, a report of severe physical and sexual abuse of Gabriel, Duncan and Willow by the mother's paramour, Marcus Young was made. Willow, age two, suffered non-accidental trauma all over her body and intra-abdomen; bruises to the bilateral lower extremities; a posterior rectal tear evident of significant rectal trauma insertion injury, bruising to the rectum, bruised lungs, heart, kidneys, and small and large intestines, a lacerated liver and spleen, and a crushed kidney. Willow required blood transfusions and dialysis, and was placed on a ventilator and life support. Duncan suffered excessive physical abuse to his abdomen. Gabriel suffered severe physical abuse to his head, neck and abdomen. It was reported that Duncan and Gabriel were thrown against the wall, and their heads went through the wall.

After release from the hospital, Gabriel, Duncan and Willow were placed with their mother, Lindsay Smith, and maternal grandmother, Linda Johnson. The mother demonstrated very poor judgment regarding the men she continued to bring around her children and repeatedly put the children at substantial risk of physical abuse and neglect. Ms. Smith and Ms. Johnson failed to comply with treatment services for the children. Ms. Johnson had a history of Child Protective Services. Gabriel, Duncan and Willow were placed in foster care. The Family Court ordered findings of physical neglect and substantial risk of physical abuse by the mother of Willow, Duncan and Gabriel, and findings of sexual abuse of Willow and physical abuse of Gabriel and Duncan by Marcus Young.

LEGAL: Date of probable cause hearing: September 4, 2008
Date of merits hearing: September 25, 2008 (completed/mother)
November 20, 2008 (completed for Marcus Young)
Date of interim order: November 20, 2008

FOSTER CARE PROVIDER PARTICIPATION: The foster parents attended this review and reported that the children are doing well. The foster parents expressed extreme concern regarding the possibility of reunification of the children with the mother.

Continued



BILLINGS, Gabriel; SMITH, Duncan & Willow
 Review Board 8A Recommendation
 February 10, 2009
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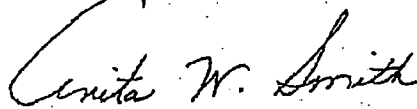
GUARDIAN AD LITEM PARTICIPATION: Catherine Beasley, Guardian ad Litem Coordinator, attended this review and provided a report from the Guardian ad Litem recommending termination of parental rights and adoption for the children. The Guardian ad Litem has serious concerns about the ability of the parents to adequately address the physical and emotional needs of the children both in the short and long term and does not feel that it is in the best interest of the children to be placed with either parent. The mother has had several paramours in the last year, one of whom was abusive to her and another who abused the children. The Guardian ad Litem reported concerns regarding the children's foster home, due to the unrestricted access the maternal grandmother has with the children. The children attend a private school where the foster parents and the maternal grandmother are employed.

AGENCY PLAN/PROGRESS TOWARD PERMANENT PLAN: The agency designated concurrent plans of return home and termination of parental rights on November 25, 2008. A psychological evaluation of the mother on October 18, 2008, identified a long history of intense and volatile relationships and found that she is often preoccupied with fears of being abandoned or rejected by those she deems important to her. The mother has a history of putting herself and her children at risk for harm by behaving submissively in volatile romantic relationships. Other risk factors include the mother's own history of chronic childhood sexual abuse, lack of education, and her economic situation. The evaluator recommended trauma-focused cognitive therapy, medication management and on-going drug screening. The agency reported that the mother has not participated in counseling for criminal domestic violence victim issues, and that she has not completed parenting classes. The mother does not have housing or employment. She has visited the children. The father of Duncan and Willow, John Michael Smith, has not completed any recommended treatment. He has visited the children twice since they entered foster care. The agency was unable to report if Mr. Smith has provided child support. Drug screens of the mother and Mr. Smith on November 20, 2008 were positive for marijuana. The father of Gabriel, Christopher David Diaz, resides in Maine, and has not visited or provided child support. The mother's paramour, Marcus Young, was charged with three counts of Assault and Battery with Intent to Kill, and Assault and Battery with High and Aggravated Nature. A psychological evaluation of Gabriel on January 23, 2009 noted the possible presence of central processing deficiencies similar to those in children with learning disabilities or closed head injuries, such as the severe injuries he suffered. Gabriel's therapist reported possible developmental delays. On January 14, 2009, Region II Adoptions staffed approved adoption services.

III. **AREAS OF CONCERN:**

1. The treatment plan is incomplete. The plan does not include child support or visitation terms for the father of Gabriel.
2. The merits hearing regarding the father of Gabriel, and the father of Duncan and Willow, has not been completed.
3. The court order from the November 20, 2008 hearing, held at least thirty days prior to this review, was not provided to the Review Board.

REVIEW BOARD CHAIRPERSON:


 Anita Smith, Chairperson

cc: SC Department of Social Services - Foster Care / Adoptions
 Laurens County Guardian ad Litem Program - Shawn Brown
 Region I Adoption Services, Greenville

SMITH, DUNCAN
Review Board 08A Recommendation
Tuesday, August 11, 2009

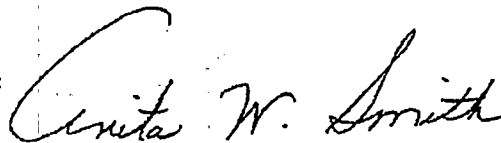
DEPARTMENT OF SOCIAL SERVICES CASE PLAN:

The Agency designated a plan of Termination of parental rights and adoption without a time frame on 8/11/2009.

PARENT/FAMILY SERVICES:

Lindsay Smith	Child support	Not providing
Lindsay Smith	Visitation	Complying
Lindsay Smith	Employment	Not established
Lindsay Smith	Housing	Not established
Lindsay Smith	Domestic violence	Not complying
Lindsay Smith	Negative drug screens	Not complying
Lindsay Smith	Mental health assessment	Not complying
Lindsay Smith	Psychological evaluation	Completed
Christopher Diaz	Visitation	Not complying
Christopher Diaz	Child support	Not providing
John Smith	Psychological evaluation	Not complying
John Smith	Anger management	Not complying
John Smith	Negative drug screens	Not complying
John Smith	Visitation	Not complying
John Smith	Child support	Not providing

REVIEW BOARD CHAIRPERSON:



Anita Smith, Chairperson

cc: SC Department of Social Services - Foster Care/Adoption
Region I Adoption Services, Greenville
Laurens County Guardian ad Litem Program - Shawn Brown

STATE OF SOUTH CAROLINA
CHILDREN'S FOSTER CARE REVIEW BOARD 08A
Advisory Decisions and Recommendations

IN RE:

SMITH, WILLOW

DOB: [REDACTED]

Laurens County Family Court

2008-DR-30-595

Defendants:

Lindsay B. Smith

Marcus Young

Christopher David Diaz

John Michael Smith

SECOND REVIEW:

8/11/2009

Laurens County Department of Social Services

Spencer Wright, Case Manager

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SEP 17 2009

GOVERNOR'S OFFICE
DIV. OF FOSTER CARE REVIEW

REVIEW BOARD RECOMMENDATION and TIME FRAME:

Termination of parental rights and adoption within six months.

AREAS OF CONCERN:

There has been a lack of progress toward the permanent plan.

The placement plan is incomplete or inappropriate.

CASE INFORMATION:

Date entered foster care:

8/29/2008

Legal custody at removal: Mother

Re-entry:

No

Total entries to out of home care: 1

Reason entered foster care:

Sexual Abuse

Physical Abuse

Finding at removal:

Sexual abuse

Neglect

Threat of Physical Abuse

Perpetrator:

Mother's paramour

Mother

Referral to Law Enforcement:

Yes

HEARINGS:

Probable Cause

9/4/2008

Completed

Removal

9/25/2008

Completed

Removal

11/20/2008

Completed

SMITH, WILLOW
 Review Board 08A Recommendation
 Tuesday, August 11, 2009

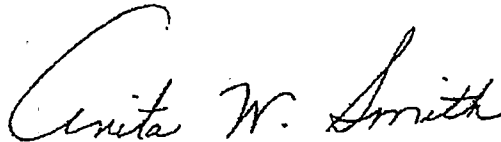
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Lindsay Smith	Psychological evaluation	Completed
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Christopher Diaz	Child support	Not providing
John Smith	Psychological evaluation	Not complying
John Smith	Anger management	Not complying
John Smith	Negative drug screens	Not complying
John Smith	Visitation	Not complying
John Smith	Child support	Not providing

REVIEW BOARD CHAIRPERSON:



Anita Smith, Chairperson

cc: SC Department of Social Services - Foster Care/Adoptions
 Region 1 Adoption Services, Greenville
 Laurens County Guardian ad Litem Program

STATE OF SOUTH CAROLINA
CHILDREN'S FOSTER CARE REVIEW BOARD 08A
Advisory Decisions and Recommendations

IN RE: BILLINGS, GABRIEL DOB: [REDACTED]
Laurens County Family Court 2008-DR-30-595
Defendants: Lindsay B. Smith
Marcus Young
Christopher David Diaz
John Michael Smith

SECOND REVIEW: 8/11/2009
Laurens County Department of Social Services
Spencer Wright, Case Manager

MAILED BY

SEP 17 2009

GOVERNOR'S OFFICE
DIV. OF FOSTER CARE REVIEW

REVIEW BOARD RECOMMENDATION and TIME FRAME:

Termination of parental rights and adoption within six months.

AREAS OF CONCERN:

There has been a lack of progress toward the permanent plan.

The placement plan is incomplete or inappropriate.

CASE INFORMATION:

Date entered foster care:	8/29/2008	Legal custody at removal:	Mother
Re-entry:	No	Total entries to out of home care:	1
Reason entered foster care:	Sexual Abuse	Physical Abuse	
Finding at removal:	Sexual abuse	Neglect	Threat of Physical Abuse
Perpetrator:	Mother's paramour	Mother	
Referral to Law Enforcement:	Yes		

HEARINGS:

Probable Cause	9/4/2008	Completed
Removal	9/25/2008	Completed
Removal	11/20/2008	Completed

BILLINGS, GABRIEL
Review Board 08A Recommendation
Tuesday, August 11, 2009

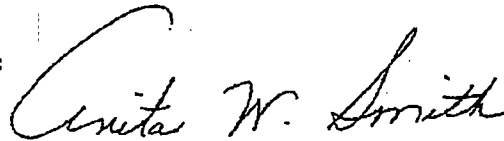
DEPARTMENT OF SOCIAL SERVICES CASE PLAN:

The Agency designated a plan of Termination of parental rights and adoption without a time frame on 8/11/2009.

PARENT/FAMILY SERVICES:

Lindsay Smith	Child support	Not providing
Lindsay Smith	Visitation	Complying
Lindsay Smith	Employment	Not established
Lindsay Smith	Housing	Not established
Lindsay Smith	Domestic violence	Not complying
Lindsay Smith	Negative drug screens	Not complying
Lindsay Smith	Mental health assessment	Not complying
Lindsay Smith	Psychological evaluation	Completed
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Christopher Diaz	Child support	Not providing
John Smith	Psychological evaluation	Not complying
John Smith	Anger management	Not complying
John Smith	Negative drug screens	Not complying
John Smith	Visitation	Not complying
John Smith	Child support	Not providing

REVIEW BOARD CHAIRPERSON:



Anita Smith, Chairperson

cc: SC Department of Social Services - Foster Care/Adoption
Region I Adoption Services, Greenville
Laurens County Guardian ad Litem Program - Shawn Brown

STATE OF SOUTH CAROLINA
CHILDREN'S FOSTER CARE REVIEW BOARD 08A
Advisory Decisions and Recommendations

STATE OF SOUTH CAROLINA
DEPARTMENT OF SOCIAL SERVICES
DIVISION OF FOSTER CARE REVIEW

IN RE: BILLINGS, GABRIEL DOB: [REDACTED]
Laurens County Family Court 2008-DR-30-595
Defendants: Lindsay B. Smith, Marcus Young, Christopher David Diaz,
John Michael Smith

THIRD REVIEW: 2/9/2010
Laurens County Department of Social Services
Spencer Wright, Case Manager

REVIEW BOARD RECOMMENDATION and TIME FRAME:

Termination of parental rights and adoption within six months.

AREAS OF CONCERN:

One or more progress reports from service providers were not available.
There has been a lack of progress toward permanent placement of this child.
The permanency planning hearing has not been held.

CASE INFORMATION:

Date entered foster care: 8/29/2008 Legal custody at removal: Mother
Re-entry: No Total entries to out of home care: 1
Reason entered foster care: Sexual Abuse Physical Abuse
Finding at Removal: Sexual abuse Neglect Threat of Physical Abuse
Perpetrator: Mother's paramour Mother
Referral to Law Enforcement: Yes

HEARINGS:

Court Ordered Plan: Termination of parental rights and adoption
Probable Cause 9/4/2008 Completed
Removal 9/25/2008 Completed
Removal 11/20/2008 Completed
Removal 9/28/2009 Completed
Permanency planning 10/8/2009 Continued

BILLINGS, GABRIEL
Review Board 08A Recommendation
Tuesday, February 09, 2010

DEPARTMENT OF SOCIAL SERVICES CASE PLAN:

The Agency designated a plan of Termination of parental rights and adoption without a timeframe on 1/21/2010.

PARENT/FAMILY SERVICES:

Lindsay Smith, Birth Mother	Child support	Not referred
Lindsay Smith, Birth Mother	Domestic violence	Completed
Lindsay Smith, Birth Mother	Employment	Established
Lindsay Smith, Birth Mother	Housing	Established
Lindsay Smith, Birth Mother	Mental health assessment	Not complying
Lindsay Smith, Birth Mother	Negative drug screens	Not complying
Lindsay Smith, Birth Mother	Psychological evaluation	Completed
Lindsay Smith, Birth Mother	Visitation	Complying

REVIEW BOARD CHAIRPERSON:


Anita Smith, Chairperson

cc: Laurens County Guardian ad Litem Program - Shawn Brown
Region I Adoption Services, Greenville

STATE OF SOUTH CAROLINA
CHILDREN'S FOSTER CARE REVIEW BOARD 08A
Advisory Decisions and Recommendations

IN RE:

SMITH, DUNCAN
Laurens County Family Court DOB: [REDACTED] 2008-DR-30-595

CONFIDENTIAL
DIV. OF FOSTER CARE
THIRD REVIEW

Defendants: Lindsay B. Smith, Marcus Young, Christopher David Diaz
John Michael Smith

THIRD REVIEW:

2/9/2010
Laurens County Department of Social Services
Spencer Wright, Case Manager

REVIEW BOARD RECOMMENDATION and TIME FRAME:

Termination of parental rights and adoption within six months.

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CASE INFORMATION:

Date entered foster care:	8/29/2008	Legal custody at removal:	Mother
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Reason entered foster care:	Sexual Abuse	Physical Abuse	
Finding at Removal:	Sexual abuse	Neglect	Threat of Physical Abuse
Perpetrator:	Mother's paramour	Mother	
Referral to Law Enforcement:	Yes		

HEARINGS:

Court Ordered Plan:	Termination of parental rights and adoption	
Probable Cause	9/4/2008	Completed
Removal	9/25/2008	Completed
Removal	11/20/2008	Completed
Removal	9/28/2009	Completed
Permanency planning	10/8/2009	Continued

SMITH, DUNCAN
 Review Board 08A Recommendation
 Tuesday, February 09, 2010

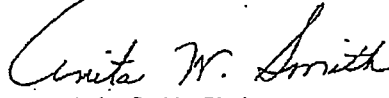
DEPARTMENT OF SOCIAL SERVICES CASE PLAN:

The Agency designated a plan of Termination of parental rights and adoption without a timeframe on 1/21/2010.

PARENT/FAMILY SERVICES:

Lindsay Smith, Birth Mother	Child support	Not referred
Lindsay Smith, Birth Mother	Domestic violence	Completed
Lindsay Smith, Birth Mother	Employment	Established
Lindsay Smith, Birth Mother	Housing	Established
Lindsay Smith, Birth Mother	Mental health assessment	Not complying
Lindsay Smith, Birth Mother	Negative drug screens	Not complying
Lindsay Smith, Birth Mother	Psychological evaluation	Completed
Lindsay Smith, Birth Mother	Visitation	Complying
John Michael Smith, Birth Father	Agency Relieved of Providing Services	
John Michael Smith, Birth Father	Child support	Not providing
John Michael Smith, Birth Father	Visitation	Complying

REVIEW BOARD CHAIRPERSON:


 Anita Smith, Chairperson

cc: Laurens County Guardian ad Litem Program - Shawn Brown
 Region I Adoption Services, Greenville

STATE OF SOUTH CAROLINA
CHILDREN'S FOSTER CARE REVIEW BOARD 08A

Advisory Decisions and Recommendations

IN RE:

SMITH, WILLOW

DOB: [REDACTED]

Laurens County Family Court

2008-DR-30-595

Defendants: Lindsay B. Smith, Marcus Young, Christopher David Diaz
John Michael Smith

GOVERNOR'S OFFICE
DIV. OF FOSTER CARE REVIEW

THIRD REVIEW:

2/9/2010

Laurens County Department of Social Services

Spencer Wright, Case Manager

REVIEW BOARD RECOMMENDATION and TIME FRAME:

Termination of parental rights and adoption within six months.

AREAS OF CONCERN:

One or more progress reports from service providers were not available.

There has been a lack of progress toward permanent placement of this child.

The permanency planning hearing has not been held.

CASE INFORMATION:

Date entered foster care:	8/29/2008	Legal custody at removal:	Mother
Re-entry:	No	Total entries to out of home care:	1
Reason entered foster care:	Sexual Abuse	Physical Abuse	
Finding at Removal:	Sexual abuse	Neglect	Threat of Physical Abuse
Perpetrator:	Mother's paramour	Mother	
Referral to Law Enforcement:	Yes		

HEARINGS:

Court Ordered Plan:	Termination of parental rights and adoption	
Probable Cause	9/4/2008	Completed
Removal	9/25/2008	Completed
Removal	11/20/2008	Completed
Removal	9/28/2009	Completed
Permanency planning	10/8/2009	Continued

SMITH, WILLOW
 Review Board 08A Recommendation
 Tuesday, February 09, 2010

DEPARTMENT OF SOCIAL SERVICES CASE PLAN:

The Agency designated a plan of Termination of parental rights and adoption without a timeframe on 1/21/2010.

PARENT/FAMILY SERVICES:

Lindsay Smith, Birth Mother	Child support	Not referred
Lindsay Smith, Birth Mother	Domestic violence	Completed
Lindsay Smith, Birth Mother	Employment	Established
Lindsay Smith, Birth Mother	Housing	Established
Lindsay Smith, Birth Mother	Mental health assessment	Not complying
Lindsay Smith, Birth Mother	Negative drug screens	Not complying
Lindsay Smith, Birth Mother	Psychological evaluation	Completed
Lindsay Smith, Birth Mother	Visitation	Completed
John Michael Smith, Birth Father	Agency Relieved of Providing Services	
John Michael Smith, Birth Father	Child support	Not providing
John Michael Smith, Birth Father	Visitation	Complying

REVIEW BOARD CHAIRPERSON:


 Anita Smith, Chairperson

cc: Laurens County Guardian ad Litem Program - Shawn Brown
 Region 1 Adoption Services, Greenville

STATE OF SOUTH CAROLINA
 CHILDREN'S FOSTER CARE REVIEW BOARD 08A
 Advisory Decisions and Recommendations

IN RE: BILLINGS, GABRIEL DOB: [REDACTED]
 Laurens County Family Court 2008-DR-30-595

Defendants: Lindsay B. Smith, Marcus Young, Christopher David Diaz,
 John Michael Smith

FOURTH REVIEW: 8/10/2010
 Laurens County Department of Social Services
 Spencer Wright, Case Manager

MAILED BY

AUG 23 2010

REVIEW BOARD RECOMMENDATION and TIME FRAME:

Termination of parental rights and adoption within six months.

AREAS OF CONCERN:

Based on documentation provided, the placement plan is incomplete or inappropriate.

GOVERNOR'S OFFICE
 DIV. OF FOSTER CARE REVIEW

CASE INFORMATION:

Date entered foster	8/29/2008	Legal custody at removal:	Mother
Re-entry:	No	Total entries to out of home care:	1
Reason entered foster care:	Sexual Abuse	Physical Abuse	
Finding at Removal:	Sexual abuse	Neglect	Threat of Physical Abuse
Perpetrator:	Mother's paramour	Mother	
Referral to Law Enforcement:	Yes		

HEARINGS:

Court Ordered Plan:	8/2/2010	Termination of parental rights and adoption
Probable Cause	9/4/2008	Completed
Removal	9/25/2008	Completed
Removal	11/20/2008	Completed
Removal	9/28/2009	Completed
Permanency planning	10/8/2009	Continued
Permanency planning	3/18/2010	Continued
Permanency planning	8/2/2010	Completed

BILLINGS, GABRIEL
Review Board 08A Recommendation
Tuesday, August 10, 2010

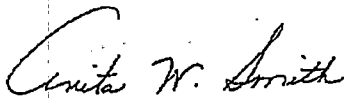
DEPARTMENT OF SOCIAL SERVICES CASE PLAN:

The Agency designated a plan of Termination of parental rights and adoption without a timeframe on 7/21/2010.

PARENT/FAMILY SERVICES:

Lindsay Smith, Birth Mother	Child support	Not Providing
Lindsay Smith, Birth Mother	Treatment Services	Agency Relieved of
Lindsay Smith, Birth Mother	Visitation	Suspended
Christopher Diaz, Putative Father	Child support	Not Providing
Christopher Diaz, Putative Father	Visitation	Suspended

REVIEW BOARD CHAIRPERSON:



Anita Smith, Chairperson

cc: Laurens County Guardian ad Litem Program - Shawn Brown
Region 1 Adoption Services - Greenville

STATE OF SOUTH CAROLINA
CHILDREN'S FOSTER CARE REVIEW BOARD 08A
Advisory Decisions and Recommendations

IN RE: SMITH , DUNCAN DOB: [REDACTED]
Laurens County Family Court 2008-DR-30-595

Defendants: Lindsay B. Smith, Marcus Young, Christopher David Diaz
John Michael Smith

FOURTH REVIEW: 8/10/2010
Laurens County Department of Social Services
Spencer Wright, Case Manager

MAILED BY

AUG 23 2010

REVIEW BOARD RECOMMENDATION and TIME FRAME:
Termination of parental rights and adoption within six months.

AREAS OF CONCERN:

Based on documentation provided, the placement plan is incomplete or inappropriate.

GOVERNOR'S OFFICE
DIV. OF FOSTER CARE REVIEW

CASE INFORMATION:

Date entered foster 8/29/2008 Legal custody at removal: Mother
Re-entry: No Total entries to out of home care: 1
Reason entered foster care: Sexual Abuse Physical Abuse
Finding at Removal: Sexual abuse Neglect Threat of Physical Abuse
Perpetrator: Mother's paramour Mother
Referral to Law Enforcement: Yes

HEARINGS:

Court Ordered Plan: 8/2/2010 Termination of parental rights and adoption
Probable Cause 9/4/2008 Completed
Removal 9/25/2008 Completed
Removal 11/20/2008 Completed
Removal 9/28/2009 Completed
Permanency planning 10/8/2009 Continued
Permanency planning 3/18/2010 Continued
Permanency planning 8/2/2010 Completed

SMITH , DUNCAN
Review Board 08A Recommendation
Tuesday, August 10, 2010

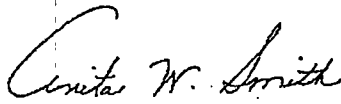
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PARENT/FAMILY SERVICES:

Lindsay Smith, Birth Mother	Child support	Not Providing
Lindsay Smith, Birth Mother	Treatment Services	Agency Relieved of
Lindsay Smith, Birth Mother	Visitation	Suspended
John Michael Smith, Birth Father	Child support	Not Providing
John Michael Smith, Birth Father	Treatment Services	Agency Relieved of
John Michael Smith, Birth Father	Visitation	Suspended

REVIEW BOARD CHAIRPERSON:


Anita Smith, Chairperson

cc: Laurens County Guardian ad Litem Program - Shawn Brown
Region I Adoption Services - Greenville

STATE OF SOUTH CAROLINA
CHILDREN'S FOSTER CARE REVIEW BOARD 08A
Advisory Decisions and Recommendations

MAILED BY

AUG 23 2010

IN RE: SMITH, WILLOW DOB: [REDACTED]
Laurens County Family Court 2008-DR-30-595

GOVERNOR'S OFFICE
DIV. OF FOSTER CARE REVIEW

Defendants: Lindsay B. Smith, Marcus Young, Christopher David Diaz
John Michael Smith

FOURTH REVIEW: 8/10/2010
Laurens County Department of Social Services
Spencer Wright, Case Manager

REVIEW BOARD RECOMMENDATION and TIME FRAME:

Termination of parental rights and adoption within six months.

AREAS OF CONCERN:

Based on documentation provided, the placement plan is incomplete or inappropriate.

CASE INFORMATION:

Date entered foster	8/29/2008	Legal custody at removal:	Mother
Re-entry:	No	Total entries to out of home care:	1
Reason entered foster care:	Sexual Abuse	Physical Abuse	
Finding at Removal:	Sexual abuse	Neglect	Threat of Physical Abuse
Perpetrator:	Mother's paramour	Mother	
Referral to Law Enforcement:	Yes		

HEARINGS:

Court Ordered Plan:	8/2/2010	Termination of parental rights and adoption
Probable Cause	9/4/2008	Completed
Removal	9/25/2008	Completed
Removal	11/20/2008	Completed
Removal	9/28/2009	Completed
Permanency planning	10/8/2009	Continued
Permanency planning	3/18/2010	Continued
Permanency planning	8/2/2010	Completed

DEPARTMENT OF SOCIAL SERVICES CASE PLAN:

The Agency designated a plan of Termination of parental rights and adoption without a timeframe on 7/21/2010.

PARENT/FAMILY SERVICES:

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Lindsay Smith, Birth Mother	Visitation	Suspended
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John Michael Smith, Birth Father	Treatment Services	Agency Relieved of
John Michael Smith, Birth Father	Visitation	Suspended

REVIEW BOARD CHAIRPERSON:

Anita W. Smith
Anita Smith, Chairperson

cc: Laurens County Guardian ad Litem Program - Shawn Brown
Region I Adoption Services - Greenville

STATE OF SOUTH CAROLINA
CHILDREN'S FOSTER CARE REVIEW BOARD 08A

Advisory Decisions and Recommendations

IN RE: BILLINGS, GABRIEL DOB: [REDACTED]
Laurens County Family Court 2008-DR-30-595

Defendants: Lindsay B. Smith, Marcus Young, Christopher David Diaz,
John Michael Smith

FIFTH REVIEW: 2/8/2011
Laurens County Department of Social Services
Spencer Wright, Case Manager

MAILED BY

REVIEW BOARD RECOMMENDATION and TIME FRAME:

Termination of parental rights and adoption within six months.

AREAS OF CONCERN:

Based on documentation provided, a current case plan does not exist.

There has been a lack of progress toward permanent placement of this child.

The termination of parental rights hearing was not completed within the timeframe required by statute.

CASE INFORMATION:

Date entered foster care:	8/29/2008	Legal custody at removal:	Mother
Re-entry:	No	Total entries to out of home care:	1
Reason entered foster care:	Sexual Abuse	Physical Abuse	
Finding at Removal:	Sexual abuse	Neglect	Threat of Physical Abuse
Perpetrator:	Mother's paramour	Mother	
Referral to Law Enforcement:	Yes		

HEARINGS:

Court Ordered Plan:	8/2/2010	Termination of parental rights and adoption
Probable Cause	9/4/2008	Completed
Removal	9/25/2008	Completed
Removal	11/20/2008	Completed
Removal	9/28/2009	Completed
Permanency planning	10/8/2009	Continued
Permanency planning	3/18/2010	Continued
Permanency planning	8/2/2010	Completed

BILLINGS, GABRIEL
Review Board 08A Recommendation
Tuesday, February 08, 2011

DEPARTMENT OF SOCIAL SERVICES CASE PLAN:

The Agency did not provide a current case plan to the Review Board on 2/8/2011.

PARENT/FAMILY SERVICES:

Christopher Diaz, Birth Father	Child support	Not Providing
Christopher Diaz, Birth Father	Visitation	Not Complying
Lindsay Smith, Birth Mother	Child support	Not Providing
Lindsay Smith, Birth Mother	Visitation	Suspended

REVIEW BOARD CHAIRPERSON:



Sue Summer, Chairperson

cc: Laurens County Guardian ad Litem Program - Shawn Brown
Region I Adoption Services - Greenville

STATE OF SOUTH CAROLINA
CHILDREN'S FOSTER CARE REVIEW BOARD 08A

Advisory Decisions and Recommendations

IN RE: SMITH, DUNCAN DOB: [REDACTED]
Laurens County Family Court 2008-DR-30-595

Defendants: Lindsay B. Smith, Marcus Young, Christopher David Diaz
John Michael Smith

FIFTH REVIEW: 2/8/2011
Laurens County Department of Social Services
Spencer Wright, Case Manager

MAILED BY

FEB 14 2011

GOVERNOR'S OFFICE
DIV. OF FOSTER CARE REVIEW

REVIEW BOARD RECOMMENDATION and TIME FRAME:

Termination of parental rights and adoption within six months.

AREAS OF CONCERN:

Based on documentation provided, a current case plan does not exist.

There has been a lack of progress toward permanent placement of this child.

The termination of parental rights hearing was not completed within the timeframe required by statute.

CASE INFORMATION:

Date entered foster care:	8/29/2008	Legal custody at removal:	Mother
Re-entry:	No	Total entries to out of home care:	1
Reason entered foster care:	Sexual Abuse	Physical Abuse	
Finding at Removal:	Sexual abuse	Neglect	Threat of Physical Abuse
Perpetrator:	Mother's paramour	Mother	
Referral to Law Enforcement:	Yes		

HEARINGS:

Court Ordered Plan:	8/2/2010	Termination of parental rights and adoption
Probable Cause	9/4/2008	Completed
Removal	9/25/2008	Completed
Removal	11/20/2008	Completed
Removal	9/28/2009	Completed
Permanency planning	10/8/2009	Continued
Permanency planning	3/18/2010	Continued
Permanency planning	8/2/2010	Completed

SMITH, DUNCAN
 Review Board 08A Recommendation
 Tuesday, February 08, 2011

DEPARTMENT OF SOCIAL SERVICES CASE PLAN:

The Agency did not provide a current case plan to the Review Board on 2/8/2011.

PARENT/FAMILY SERVICES:

John Michael Smith, Birth-Father	Child support	Not Providing
John Michael Smith, Birth Father	Treatment Services	Agency Relieved of Servi
John Michael Smith, Birth Father	Visitation	Suspended
Lindsay Smith, Birth Mother	Child support	Not Providing
Lindsay Smith, Birth Mother	Visitation	Suspended

REVIEW BOARD CHAIRPERSON:



Sue Summer, Chairperson

cc: Laurens County Guardian ad Litem Program - Shawn Brown
 Region I Adoption Services - Greenville

STATE OF SOUTH CAROLINA
CHILDREN'S FOSTER CARE REVIEW BOARD 08A

Advisory Decisions and Recommendations

IN RE: SMITH, WILLOW DOB [REDACTED]
Laurens County Family Court 2008-DR-30-595

Defendants: Lindsay B. Smith, Marcus Young, Christopher David Diaz
John Michael Smith

FIFTH REVIEW: 2/8/2011
Laurens County Department of Social Services
Spencer Wright, Case Manager

MAILED BY

REVIEW BOARD RECOMMENDATION and TIME FRAME:

Termination of parental rights and adoption within six months.

FEB 14 2011

AREAS OF CONCERN:

Based on documentation provided, a current case plan does not exist.

GOVERNOR'S OFFICE
DIV. OF FOSTER CARE REVIEW

There has been a lack of progress toward permanent placement of this child.

The termination of parental rights hearing was not completed within the timeframe required by statute.

CASE INFORMATION:

Date entered foster care:	8/29/2008	Legal custody at removal:	Mother
Re-entry:	No	Total entries to out of home care:	1
Reason entered foster care:	Sexual Abuse	Physical Abuse	
Finding at Removal:	Sexual abuse	Neglect	Threat of Physical Abuse
Perpetrator:	Mother's paramour	Mother	
Referral to Law Enforcement:	Yes		

HEARINGS:

Court Ordered Plan:	8/2/2010	Termination of parental rights and adoption
Probable Cause	9/4/2008	Completed
Removal	9/25/2008	Completed
Removal	11/20/2008	Completed
Removal	9/28/2009	Completed
Permanency planning	10/8/2009	Continued
Permanency planning	3/18/2010	Continued
Permanency planning	8/2/2010	Completed

SMITH, WILLOW

Review Board 08A Recommendation

Tuesday, February 08, 2011

DEPARTMENT OF SOCIAL SERVICES CASE PLAN:

The Agency did not provide a current case plan to the Review Board on 2/8/2011.

PARENT/FAMILY SERVICES:

John Michael Smith, Birth Father	Child support	Not Providing
John Michael Smith, Birth Father	Treatment Services	Agency Relieved of Servi
John Michael Smith, Birth Father	Visitation	Suspended
Lindsay Smith, Birth Mother	Child support	Not Providing
Lindsay Smith, Birth Mother	Visitation	Suspended

REVIEW BOARD CHAIRPERSON:



Sue Summer, Chairperson

cc: Laurens County Guardian ad Litem Program - Shawn Brown
Region I Adoption Services - Greenville

STATE OF SOUTH CAROLINA
CHILDREN'S FOSTER CARE REVIEW BOARD 08A

Advisory Decisions and Recommendations

IN RE: BILLINGS, GABRIEL DOB: [REDACTED]
Laurens County Family Court 2008-DR-30-595

Defendants: Lindsay B. Smith, Marcus Young, Christopher David Diaz,
John Michael Smith

SIXTH REVIEW: 8/9/2011
Laurens County Department of Social Services
Spencer Wright, Case Manager

MAILED BY
AUG 23 2011
GOVERNOR'S OFFICE
DIV. OF FOSTER CARE REVIEW

REVIEW BOARD RECOMMENDATION and TIME FRAME:

Termination of parental rights and adoption within six months.

AREAS OF CONCERN:

There has been a lack of progress toward permanent placement of this child.

Based on documentation provided, the placement plan is incomplete or inappropriate.

The permanency planning hearing was not completed within the statutory timeframe.

The termination of parental rights hearing was not completed within the timeframe required by statute.

CASE INFORMATION:

Date entered foster care: 8/29/2008 Legal custody at removal: Mother
Re-entry: No Total entries to out of home care: 1
Reason entered foster care: Sexual Abuse Physical Abuse
Finding at Removal: Sexual abuse Neglect Threat of Physical Abuse
Perpetrator: Mother's paramour Mother
Referral to Law Enforcement: Yes

HEARINGS:

Court Ordered Plan: 8/2/2010 Termination of parental rights and adoption
Probable Cause 9/4/2008 Completed
Removal 9/25/2008 Completed
Removal 11/20/2008 Completed
Removal 9/28/2009 Completed
Permanency planning 10/8/2009 Continued
Permanency planning 3/18/2010 Continued
Permanency planning 8/2/2010 Completed

BILLINGS , GABRIEL

Review Board 08A Recommendation
Tuesday, August 09, 2011

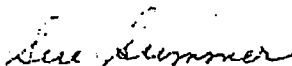
DEPARTMENT OF SOCIAL SERVICES CASE PLAN:

The Agency designated a plan of Termination of parental rights and adoption without a timeframe on 7/26/2011

PARENT/FAMILY SERVICES:

Christopher Diaz, Birth Father	Agency Relieved of Services	
Christopher Diaz, Birth Father	Child support	Not Providing
Christopher Diaz, Birth Father	Visitation	Suspended
Lindsay Smith, Birth Mother	Agency Relieved of Services	
Lindsay Smith, Birth Mother	Child support	Not Providing
Lindsay Smith, Birth Mother	Visitation	Suspended

REVIEW BOARD CHAIRPERSON:



Sue Summer, Chairperson

cc: Laurens County Guardian ad Litem Program - Shawn Brown
Region I Adoption Services - Greenville

SMITH, DUNCAN
 Review Board 08A Recommendation
 Tuesday, August 09, 2011

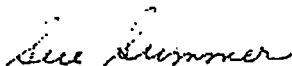
DEPARTMENT OF SOCIAL SERVICES CASE PLAN:

The Agency designated a plan of Termination of parental rights and adoption without a timeframe on 7/26/2011

PARENT/FAMILY SERVICES:

John Michael Smith, Birth Father	Agency Relieved of Services	
John Michael Smith, Birth Father	Child support	Not Providing
John Michael Smith, Birth Father	Visitation	Suspended
Lindsay Smith, Birth Mother	Agency Relieved of Services	
Lindsay Smith, Birth Mother	Child support	Not Providing
Lindsay Smith, Birth Mother	Visitation	Suspended

REVIEW BOARD CHAIRPERSON:



Sue Summer, Chairperson

cc: Laurens County Guardian ad Litem Program - Shawn Brown
 Region 1 Adoption Services - Greenville

STATE OF SOUTH CAROLINA
CHILDREN'S FOSTER CARE REVIEW BOARD 08A

Advisory Decisions and Recommendations

IN RE:

SMITH, WILLOW

DOB: [REDACTED]

Laurens County Family Court

2008-DR-30-595

Defendants:

Lindsay B. Smith, Marcus Young, Christopher David Diaz
John Michael Smith

SIXTH REVIEW:

8/9/2011

Laurens County Department of Social Services

Spencer Wright, Case Manager

MAILED BY

AUG 23 2011

GOVERNOR'S OFFICE
DIV. OF FOSTER CARE REVIEW

REVIEW BOARD RECOMMENDATION and TIME FRAME:

Termination of parental rights and adoption within six months.

AREAS OF CONCERN:

There has been a lack of progress toward permanent placement of this child.

Based on documentation provided, the placement plan is incomplete or inappropriate.

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CASE INFORMATION:

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HEARINGS:

Court Ordered Plan:	8/2/2010	Termination of parental rights and adoption
Probable Cause	9/4/2008	Completed
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Permanency planning	10/8/2009	Continued
Permanency planning	3/18/2010	Continued
Permanency planning	8/2/2010	Completed

SMITH, WILLOW
 Review Board 08A Recommendation
 Tuesday, August 09, 2011

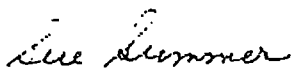
DEPARTMENT OF SOCIAL SERVICES CASE PLAN:

The Agency designated a plan of Termination of parental rights and adoption without a timeframe on 7/26/2011

PARENT/FAMILY SERVICES:

John Michael Smith, Birth Father	Agency Relieved of Services	
John Michael Smith, Birth Father	Child support	Not Providing
John Michael Smith, Birth Father	Visitation	Suspended
Lindsay Smith, Birth Mother	Agency Relieved of Services	
Lindsay Smith, Birth Mother	Child support	Not Providing
Lindsay Smith, Birth Mother	Visitation	Suspended

REVIEW BOARD CHAIRPERSON:



Sue Summer, Chairperson

cc: Laurens County Guardian ad Litem Program - Shawn Brown
 Region I Adoption Services - Greenville