

### **Case Simulation 3: Severe Abuse**

#### **Fact Pattern:**

- Baby J., a newborn, tested positive for methamphetamine at birth. The infant exhibited symptoms of drug withdrawal, including irritability, feeding difficulties, and tremors, requiring NICU care for observation.
- Mother admitted to methamphetamine use during pregnancy but claimed she quit during her third trimester.
- No evidence exists that the father was aware of the drug use (though he was intermittently involved).
- DCS responded at the hospital and immediately sought an emergency removal, citing:
  - Immediate risk of harm to the infant due to prenatal drug exposure (methamphetamine).
  - Ongoing concerns about the mother's sobriety, unstable housing, and lack of prenatal care.
- DCS placed Baby J. with the maternal aunt and uncle, who were approved as kinship foster placement.
- DCS has filed a dependency and neglect petition with an allegation of severe abuse based on drug exposure at birth.
- Mother has begun outpatient substance abuse treatment but has only been engaged for two weeks.
- Father has recently petitioned for custody but has had limited contact with the baby.

**Discuss whether a stipulation can be reached prior to adjudication or if it is necessary to obtain a severe abuse finding against mother.**