

**NOTICE: THIS DOCUMENT  
CONTAINS SENSITIVE DATA**

**CAUSE NO.** CV19-01194

**IN THE INTEREST OF**

**LAIELLA WALKER  
TREVOR BROOKS  
EMMA HORN**

**CHILDREN**

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**IN THE DISTRICT COURT OF**

**COLEMAN COUNTY, TEXAS**

**42ND JUDICIAL DISTRICT**

**ORIGINAL PETITION FOR PROTECTION OF A CHILD,  
FOR CONSERVATORSHIP, AND FOR TERMINATION  
IN SUIT AFFECTING THE PARENT-CHILD RELATIONSHIP**

*This Original Petition for Protection of a Child, for Conservatorship, and for Termination in Suit Affecting the Parent-Child Relationship is brought by the Department of Family and Protective Services ("the Department"), whose address is 2400 Crockett Dr., Ste. 100, Brownwood, Texas 76801 for the purposes of § 30.015, Texas Civil Practice and Remedies Code. The Department has standing to bring this suit under §§ 102.003(5) and 262.001, Texas Family Code.*

**1. Discovery Level**

Discovery in this case is intended to be conducted under Level 2, subject to the discovery limitations provided by Rule 190.3, unless modified by order pursuant to Rule 190.5, Texas Rules of Civil Procedure.

**2. Jurisdiction**

- 2.1. This Court has jurisdiction of the suit affecting the parent-child relationship and of the suit for protection of a child under Chapter 262, Texas Family Code, and Petitioner believes no other Court has continuing, exclusive jurisdiction over the children.
- 2.2. In accordance with § 155.101(a), Texas Family Code, the Department will request that the Vital Statistics Unit identify the court that last had continuing, exclusive jurisdiction, or confirm that the children have not been the subjects of a suit resulting in a court of continuing jurisdiction.
- 2.3. Information required by § 152.209 of the Texas Family Code is provided in the affidavit attached to this petition. This Court has emergency and/or home state jurisdiction under the Uniform Child Custody Jurisdiction and Enforcement Act.

3. The Children:

The following children are the subject of this suit:

12yo  
3.1. Name: LAIELLA WALKER  
Sex: Female  
Date of Birth: April 20, 2007  
Indian Child Status: An inquiry regarding the child or family's possible Indian ancestry is not complete due to ex parte proceedings or similar circumstances

almost 11  
3.2. Name: TREVOR BROOKS  
Sex: Male  
Date of Birth: December 28, 2008  
Indian Child Status: An inquiry regarding the child or family's possible Indian ancestry is not complete due to ex parte proceedings or similar circumstances

44.0  
3.3. Name: EMMA HORN  
Sex: Female  
Date of Birth: July 24, 2015  
Indian Child Status: An inquiry regarding the child or family's possible Indian ancestry is not complete due to ex parte proceedings or similar circumstances

4. Parties to be Served

~~4.1.~~ The mother of the child, EMMA HORN and permanent managing conservator of the children, LAIELLA WALKER and TREVOR BROOKS, the subject of this suit is:

Party: GINGER WALKER  
Date of Birth: October 1, 1965  
Address: 402 East College Ave., Apt. 112, Coleman, TX 76834

*The Department requests that process be served at that address or in Court.*

4.2. The mother of the children, LAIELLA WALKER and TREVOR BROOKS, the subject of this suit is:

Party: LACIE LIEBHABER  
Date of Birth: December 9, 1985  
Address: 402 East College Avenue, Apt. 112, Coleman, TX 76834

*The Department requests that process be served at that address or in Court.*

4.3. The father of the child EMMA HORN is:

Party: MATTHEW HORN  
Date of Birth: June 13, 1989  
Address: 402 East College Avenue, Apt. 112, Coleman, TX 76834

*The Department requests that process be served at that address or in Court.*

4.4. The father of the child, TREVOR BROOKS is:

Party: ZACHARY BROOKS  
Date of Birth: April 8, 1985  
Address: 813 West College Avenue, Coleman, TX 76834

*The Department requests that process be served at that address or in Court.*

4.5. The father of the child, LAIELLA WALKER is:

Party: DAVID CARTER  
Date of Birth: September 5, 1985  
Address: 12120 Savage Dr., Midway, TX 75852

*The Department requests that process be served at that address or in Court.*

4.6. To the best of the Department's knowledge, there are no Court-ordered conservatorships, guardianships, or other court-ordered relationships affecting the children the subject of this suit.

4.7. The Attorney General's office will be served by E-file under Rule 21a, Texas Rules of Civil Procedure, pursuant to § 102.009(d), Texas Family Code.

## 5. Information on Protective Orders

To the best of the Department's knowledge, there are no protective orders in effect or applications pending, as described in § 102.008(b)(11), Texas Family Code, in regard to a party to the suit or a child of a party to the suit.

## 6. Interstate Compact on the Placement of Children

A verified statement of compliance with Subchapter B, Chapter 162, Texas Family Code, as required by § 162.002, Texas Family Code will be filed at a later time should one be required.

## 7. Property Owned by the Children

7.1. The following property is owned or possessed by the child, LAIELLA WALKER and is valued as stated: none.

7.2. The following property is owned or possessed by the child, **TREVOR BROOKS** and is valued as stated: none.

7.3. The following property is owned or possessed by the child, **EMMA HORN** and is valued as stated: none.

**8. Reasonable Efforts to Reunify Family**

8.1. The Department made reasonable efforts, consistent with time and circumstances prior to the children's removal and prior to the placement of the children in foster care, to prevent or eliminate the need for removal of the children and the Department has made reasonable efforts to make it possible for the children to return home.

8.2. The Department will make reasonable efforts to eliminate the need for the children's removal and to enable the return of the children to the parents.

**9. Request for Permission to Take Possession of Children in an Emergency**

9.1. There is an immediate danger to the physical health or safety of the children, or the children have been the victims of neglect or sexual abuse. Continuation in the home would be contrary to the children's welfare. There is no time consistent with the physical health or safety of the children for a full adversary hearing, and 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.

9.2. The Department has attached to this Petition an affidavit setting out the facts of this case.

9.3. The Department requests emergency orders and/or attachments required to gain possession of the children as authorized by §262.101, Texas Family Code.

**10. Temporary Managing Conservatorship**

The Department requests that the court immediately, without notice or an adversary hearing, appoint the Department as temporary sole managing conservator of the children as provided in Chapter 262 and § 105.001(a)(1) and (h), Texas Family Code.

**11. Required Information**

11.1. The Department requests that each Parent, Alleged Father or Relative of the children before the Court provide the full name and current address or whereabouts and phone number of any absent parent of the children the subject of this suit pursuant to Rule 194, Texas Rules of Civil Procedure and §262.201, Texas Family Code.

- 11.2. The Department requests that each Parent, Alleged Father 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 the Department and the Court the full name and current address or whereabouts and phone number of any and all relatives 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 194, Texas Rules of Civil Procedure, and § 262.201, Texas Family Code.
- 11.3. The Department requests that each parent of the children the subject of this suit furnish 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.
- 11.4. The Department requests that each parent of the children the subject of this suit provide to 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.
  - 11.4.1. Further that if private health insurance is in effect, the Department requests that each parent provide the identity of the insurance company, the policy number, which parent is responsible for the payment of any insurance premium, whether the coverage is provided through a parent's employment, and the cost of such premium.
  - 11.4.2. If private health insurance is not in effect, the Department requests that each parent provide information on whether the child is receiving medical assistance under chapter 32 Human Resource Code; or the child is receiving health benefits coverage under the state child health plan under chapter 62, Health and Safety Code and the cost of any premium or if either parent has access to private health insurance at reasonable cost to the parent.
- 11.5. The Department requests 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, or any other records from the United States Citizenship and Immigration Services, and records of Indian ancestry or tribal membership, pursuant to Rule 196, Texas Rules of Civil Procedure.
- 11.6. The Department requests 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 immunization records and the names and addresses of all treating physicians. The Department requests the Court order each parent to provide 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.

- 11.7. The Department requests that each parent of the children provide any information regarding whether the children have Native American heritage and identify any Native American tribe with which the children may be associated and provide all available family history information relevant to determination of Indian child status on request.
- 11.8. The Department requests that, at the full adversary hearing in this cause, the Court order the Respondents to execute an authorization for the release of the Respondents' medical and mental health records to the Department, and to further provide the Department with a list of the names and addresses of the physicians and mental health providers who have treated the Respondents.

## 12. Request for Temporary Orders

At the full adversary hearing under §262.201, Texas Family Code, the Court should render temporary orders under §105.001, Texas Family Code, to include but not be limited to:

- 12.1. 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;
  - 12.1.1. a provision authorizing the Department to consent to medical care for the subject children, pursuant to § 266.004, Texas Family Code;
- 12.2. a provision authorizing the Department or its employee or designee to consent to medical care of the children, pursuant to § 266.004, Texas Family Code;
- 12.3. a provision pursuant to §154.001(b), Texas Family Code, ordering the parents of the children to make payments for the temporary support of the children, pending final disposition of this suit, these children support payments to be withheld from their disposable earnings;
- 12.4. a provision that any child support ordered to be paid for the support of the children **LAIELLA WALKER, TREVOR BROOKS and EMMA HORN** as a result of any prior court orders be ordered to be redirected and paid to the Texas Department of Family and Protective Services.
- 12.5. a provision ordering the parents of the children to provide health insurance for the children under §§ 154.182 and 154.183, Texas Family Code, pending final disposition of the suit;
- 12.6. a provision restricting the parents' possession and access to the children the subject of this suit;

- 12.7. a provision for the preparation of a social study into the circumstances and conditions of the children and the home of any person requesting managing conservatorship or possession of the children;
- 12.8. a provision ordering the parents of the children to submit to the Department the Child Placement Resources Form required under § 261.307, Texas Family Code;
- 12.9. a provision ordering the parents of the children to submit to psychological examinations;
- 12.10. a provision ordering the parents of the children to attend counseling sessions to address the specific issues that led to the removal of the children from the home and to attend counseling sessions to address any additional issues arising from the psychological examinations or from the counseling sessions;
- 12.11. a provision ordering the parents of the children to attend parenting classes as requested by the Department;
- 12.12. a provision ordering the Respondents to submit to a drug and alcohol assessment and to complete a substance abuse treatment program if needed;
- 12.13. a provision ordering the parents 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 and 153.602, Texas Family Code;
- 12.14. a provision ordering the Respondents to provide the Court and the Department with a current residence address and telephone number at which each can be contacted;
- 12.15. a provision ordering the Respondents 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.

**13. Reunification**

- 13.1. The Department will make reasonable efforts to eliminate the need for the children's removal and to enable the return of the children to a parent.
- 13.2. If the children cannot be safely reunified with either parent, then the Department will seek alternative relief as described in the sections below.

**14. Permanent Conservatorship and Support of the Children**

**14.1. Conservatorship**

- 14.1.1. Pursuant to §§ 153.005 and 263.404, Texas Family Code, if the children cannot safely be reunified with either parent, but may be permanently placed with a relative or other suitable person, the Department requests that the Court appoint the person as permanent sole managing conservator of the

children; if the children cannot safely be reunified with either parent or permanently placed with a relative or other suitable person, the Department requests that the Court appoint the Department as permanent sole managing conservator of the children.

14.1.2. Pursuant to § 153.131, Texas Family Code, the appointment of a parent as permanent managing conservator of the children is not in the children's best interest, because the appointment would significantly impair the children's physical health or emotional development.

14.1.3. Pursuant to § 153.191, Texas Family Code, the appointment of a parent as permanent possessory conservator of the children is not in the best interest of children and parental possession or access would endanger the physical or emotional welfare of the children.

14.1.4. If conservatorship is awarded under this section, the application of the guidelines for possession and access to the children, as set out in §§ 153.311, *et seq.*, Texas Family Code, would not be in the children's best interest. The parents of the children, as possessory conservators of the children, should have limited access to and possession of the children, under conditions and restrictions prescribed by the Court for the best interests of the children.

#### **14.2. Support**

14.2.1. Each parent should be ordered to make payments for the support of the children in accordance with § 154.001(b), Texas Family Code, including retroactive support if appropriate, determined pursuant to § 154.131, Texas Family Code, and in a manner specified by the Court under Chapter 154, Texas Family Code. The payments for the support of the children should survive the death of either parent and become the obligation of the deceased Parent's estate.

14.2.2. Each parent should be ordered to provide health insurance for the children in accordance with §§ 154.182 and 154.183, Texas Family Code.

14.2.3. If any parent is found to be in arrears in child support or medical support payments ordered in this or in any other action, a judgment for enforcement of said arrearage should be issued against that parent pursuant to §§ 157.261, 158.003 and 158.004, Texas Family Code.

#### **15. Termination of the Parental Rights of Ginger Walker**

If reunification with the mother cannot be achieved, the Court should terminate the parent-child relationship between **GINGER WALKER** and the child, **EMMA HORN** the subject of this suit under Chapter 161, Texas Family Code, if both of the following are shown:



15.1. **GINGER WALKER** has committed any of the following acts or omissions:

15.1.1. knowingly placed or knowingly allowed the children to remain in conditions or surroundings which endanger the physical or emotional well-being of the children, pursuant to § 161.001(b)(1)(D), Texas Family Code;

15.1.2. engaged in conduct or knowingly placed the children with persons who engaged in conduct which endangers the physical or emotional well-being of the children, pursuant to § 161.001(b)(1)(E), Texas Family Code;

15.1.3. may execute before or after the suit is filed an unrevoked or irrevocable affidavit of relinquishment of parental rights as provided by Chapter 161, Texas Family Code, pursuant to § 161.001(b)(1)(K), Texas Family Code;

15.1.4. may constructively abandon the children who have been in the permanent or temporary managing conservatorship of the Department of Family and Protective Services for not less than six months and: (1) the Department has made reasonable efforts to return the children to the mother; (2) the mother has not regularly visited or maintained significant contact with the children; and (3) the mother has demonstrated an inability to provide the children with a safe environment, pursuant to § 161.001(b)(1)(N), Texas Family Code;

15.1.5. failed to comply with the provisions of a court order that specifically established the actions necessary for the mother to obtain the return of the children who have been in the permanent or temporary managing conservatorship of the Department of Family and Protective Services for not less than nine months as a result of the children's removal from the parent under Chapter 262 for the abuse or neglect of the children, pursuant to § 161.001(b)(1)(O), Texas Family Code;

15.1. **AND** that termination of the parent-child relationship is in each child's best interest.

**16. Termination of the Parental Rights of Lacie Liebhaber**

If reunification with the mother cannot be achieved, the Court should terminate the parent-child relationship between **LACIE LIEBHABER** and the children, **LAIELLA WALKER**, and **TREVOR BROOKS**, the subject of this suit under Chapter 161, Texas Family Code, if both of the following are shown:

16.1. **LACIE LIEBHABER** has committed any of the following acts or omissions:

16.1.1. knowingly placed or knowingly allowed the children to remain in conditions or surroundings which endanger the physical or emotional well-being of the children, pursuant to § 161.001(b)(1)(D), Texas Family Code;

- 16.1.2. engaged in conduct or knowingly placed the children with persons who engaged in conduct which endangers the physical or emotional well-being of the children, pursuant to § 161.001(b)(1)(E), Texas Family Code;
- 16.1.3. may execute before or after the suit is filed an unrevoked or irrevocable affidavit of relinquishment of parental rights as provided by Chapter 161, Texas Family Code, pursuant to § 161.001(b)(1)(K), Texas Family Code;
- 16.1.4. may constructively abandon the children who have been in the permanent or temporary managing conservatorship of the Department of Family and Protective Services for not less than six months and: (1) the Department has made reasonable efforts to return the children to the mother; (2) the mother has not regularly visited or maintained significant contact with the children; and (3) the mother has demonstrated an inability to provide the children with a safe environment, pursuant to § 161.001(b)(1)(N), Texas Family Code;
- 16.1.5. may fail to comply with the provisions of a court order that specifically established the actions necessary for the mother to obtain the return of the children who have been in the permanent or temporary managing conservatorship of the Department of Family and Protective Services for not less than nine months as a result of the children's removal from the parent under Chapter 262 for the abuse or neglect of the children, pursuant to § 161.001(b)(1)(O), Texas Family Code;

16.2. **AND** that termination of the parent-child relationship is in each child's best interest.

## **17. Termination of the Parental Rights of Matthew Horn**

If reunification with the father cannot be achieved, the Court should terminate the parent-child relationship between **MATTHEW HORN** and the child, **EMMA HORN** the subject of this suit under Chapter 161, Texas Family Code, if both of the following are shown:

- 17.1. **MATTHEW HORN** has committed any of the following acts or omissions:
  - 17.1.1. knowingly placed or knowingly allowed the child to remain in conditions or surroundings which endanger the physical or emotional well-being of the child, pursuant to § 161.001(b)(1)(D), Texas Family Code;
  - 17.1.2. engaged in conduct or knowingly placed the child with persons who engaged in conduct which endangers the physical or emotional well-being of the child, pursuant to § 161.001(b)(1)(E), Texas Family Code;
  - 17.1.3. may execute before or after the suit is filed an unrevoked or irrevocable affidavit of relinquishment of parental rights as provided by Chapter 161, Texas Family Code, pursuant to § 161.001(b)(1)(K), Texas Family Code;

17.1.4. may constructively abandon the child who has been in the permanent or temporary managing conservatorship of the Department of Family and Protective Services for not less than six months and: (1) the Department has made reasonable efforts to return the child to the father; (2) the father has not regularly visited or maintained significant contact with the child; and (3) the father has demonstrated an inability to provide the child with a safe environment, pursuant to § 161.001(b)(1)(N), Texas Family Code;

17.1.5. may fail to comply with the provisions of a court order that specifically established the actions necessary for the father to obtain the return of the child who has been in the permanent or temporary managing conservatorship of the Department of Family and Protective Services for not less than nine months as a result of the child's removal from the parent under Chapter 262 for the abuse or neglect of the child, pursuant to § 161.001(b)(1)(O), Texas Family Code;

17.2. **AND** that termination of the parent-child relationship is in the child's best interest.

**18. Termination of the Parental Rights of Zachary Brooks**

If reunification with the father cannot be achieved, the Court should terminate the parent-child relationship between **ZACHARY BROOKS** and the child, **TREVOR BROOKS** the subject of this suit under Chapter 161, Texas Family Code, if both of the following are shown:

18.1. **ZACHARY BROOKS** has committed any of the following acts or omissions:

18.1.1. knowingly placed or knowingly allowed the child to remain in conditions or surroundings which endanger the physical or emotional well-being of the child, pursuant to § 161.001(b)(1)(D), Texas Family Code;

18.1.2. engaged in conduct or knowingly placed the child with persons who engaged in conduct which endangers the physical or emotional well-being of the child, pursuant to § 161.001(b)(1)(E), Texas Family Code;

18.1.3. may execute before or after the suit is filed an unrevoked or irrevocable affidavit of relinquishment of parental rights as provided by Chapter 161, Texas Family Code, pursuant to § 161.001(b)(1)(K), Texas Family Code;

18.1.4. may constructively abandon the child who has been in the permanent or temporary managing conservatorship of the Department of Family and Protective Services for not less than six months and: (1) the Department has made reasonable efforts to return the child to the father; (2) the father has not regularly visited or maintained significant contact with the child; and (3) the father has demonstrated an inability to provide the child with a safe environment, pursuant to § 161.001(b)(1)(N), Texas Family Code;

18.1.5. may fail to comply with the provisions of a court order that specifically established the actions necessary for the father to obtain the return of the child who has been in the permanent or temporary managing conservatorship of the Department of Family and Protective Services for not less than nine months as a result of the child's removal from the parent under Chapter 262 for the abuse or neglect of the child, pursuant to § 161.001(b)(1)(O), Texas Family Code;

18.2. **AND** that termination of the parent-child relationship is in the child's best interest.

**19. Termination of the Parental Rights of David Carter**

If reunification with the father cannot be achieved, the Court should terminate the parent-child relationship between **DAVID CARTER** and the child, **LAIELLA WALKER** the subject of this suit under Chapter 161, Texas Family Code, if both of the following are shown:

19.1. **DAVID CARTER** has committed any of the following acts or omissions:

19.1.1. knowingly placed or knowingly allowed the child to remain in conditions or surroundings which endanger the physical or emotional well-being of the child, pursuant to § 161.001(b)(1)(D), Texas Family Code;

19.1.2. engaged in conduct or knowingly placed the child with persons who engaged in conduct which endangers the physical or emotional well-being of the child, pursuant to § 161.001(b)(1)(E), Texas Family Code;

19.1.3. may execute before or after the suit is filed an unrevoked or irrevocable affidavit of relinquishment of parental rights as provided by Chapter 161, Texas Family Code, pursuant to § 161.001(b)(1)(K), Texas Family Code;

19.1.4. may constructively abandon the child who has been in the permanent or temporary managing conservatorship of the Department of Family and Protective Services for not less than six months and: (1) the Department has made reasonable efforts to return the child to the father; (2) the father has not regularly visited or maintained significant contact with the child; and (3) the father has demonstrated an inability to provide the child with a safe environment, pursuant to § 161.001(b)(1)(N), Texas Family Code;

19.1.5. may fail to comply with the provisions of a court order that specifically established the actions necessary for the father to obtain the return of the child who has been in the permanent or temporary managing conservatorship of the Department of Family and Protective Services for not less than nine months as a result of the child's removal from the parent under Chapter 262 for the abuse or neglect of the child, pursuant to § 161.001(b)(1)(O), Texas Family Code;

19.2. **AND** that termination of the parent-child relationship is in the child's best interest.

**20. Attorney Ad Litem and Guardian Ad Litem for the Children**

20.1. The immediate appointment of an attorney *ad litem* for the children is required by § 107.012, Texas Family Code.

20.2. The immediate appointment of a guardian *ad litem* to represent the interests of the children is required by § 107.011, Texas Family Code.

20.3. Petitioner would show the Court that the Department possesses information which may be essential to the work of the attorney *ad litem* and guardian *ad litem*, but which cannot be provided, except by direction of this Court, without the editing required by § 261.201(g), Texas Family Code. Resource limitations will result in substantial delay in providing the information if the editing must be done before release. The release of all files, reports, records, communications and working papers used or developed in the investigation or in the providing of services to the children the subject of this suit to the attorney *ad litem* and guardian *ad litem* is in the best interests of the children, is essential to the administration of justice, and is not likely to endanger the life or safety of any person. If the Court determines that release of the information to the attorney *ad litem* and guardian *ad litem*, as officers of the Court, without editing should be made, the Department requests that appropriate orders be made to prevent further disclosure of the information.

**21. Attorneys for Parents and Respondents; Payment of Attorney Ad Litem Fees and Expenses**

**21.1. Indigent Parent**

If a parent responds in opposition to this suit affecting their parent-child relationship and appears without attorney, the Department requests that the Court determine whether the parent is indigent. If the Court determines that the parent is indigent, the appointment of an attorney *ad litem* to represent the interests of that parent is required by § 107.013, Texas Family Code. The Court may appoint one attorney to represent both indigent parents if the parents' interests are not in conflict.

**21.2. Parent with Mental or Emotional Illness or Deficiency**

If termination of parental rights is sought due to the inability of a parent to provide for the physical, emotional, and mental needs of the children due to mental or emotional illness or deficiency, the appointment of an attorney *ad litem* to represent the parent is required by § 161.003(b), Texas family Code.

**21.3. Other Parents Entitled to Appointment of Attorney Ad Litem**

21.3.1. If a parent is served with citation by publication or service is not required pursuant to § 161.002(c) or (d), Texas Family Code, the appointment of an attorney *ad litem* for the absent parent is required by § 107.013, Texas Family Code.

21.3.2. If the Court finds that the parent is a minor, the Department requests that the Court appoint an attorney *ad litem* to represent the interests of the minor parent pursuant to § 107.010, Texas Family Code.

**21.4. Payment of Fees for Attorneys Ad Litem**

The Department requests that attorney's fees for any attorney *ad litem* be assessed and paid in accordance with § 107.015, Texas Family Code.

**22. Statutory Warning to Parents**

The Department requests that the Court inform each parent in open court as required by §§ 262.201(c) and 263.006, Texas Family Code, at the adversary hearing, at the status hearing, and at each subsequent permanency hearing that parental and custodial rights and duties may be subject to restriction or to termination unless the parent or parents are willing and able to provide the children with a safe environment.

**23. Prayer**

23.1. The Department prays that citation and notice issue as required by law, and that the Court enter temporary and final orders in accordance with the allegations of this petition.

23.2. The Department prays that the Court immediately grant emergency orders in conformity with the allegations of this petition.

23.3. The Department prays for attorney's fees, expenses, and costs.

23.4. The Department prays for general relief.

Respectfully Submitted,



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