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IN THE THIRD DISTRICT JUVENILE COURT
COUNTY OF SALT LAKE, STATE OF UTAH

STATE OF UTAH, in the interest of : VERIFIED PETITION
: BIERLY, JORDAN 4-9-83 : Case No. _____
: BIERLY, Leigh
: BIERLY, PETER
: Child under 18 years of age. : JUDGE OLOF A. JOHANSSON

Petitioner, State of Utah, Division of Child and Family Services, by and through its counsel, Paul G. Amann, Assistant Attorney General, hereby alleges that the above named person is within the age of Juvenile Court jurisdiction and that the above named person is within the provisions of Utah Code Ann. § 78-3a-103 (as amended). This Petition is based upon the following allegations:

1. Jordan Bierly is a ^{seven}seventeen year old male child born April 9, 1983. The child resides in Salt Lake County, Utah.
2. The natural mother of the child is Elizabeth Bierly who currently resides at the Day's Inn at 7251 South 300 West, Midvale Utah.
3. The natural father of the child is unknown to the State at this time.
4. On September 28, 2000, the child was taken into protective custody for the

following reasons:

- a. The child has juvenile onset diabetes (*i.e.* he's diabetic).
- b. The mother has not appropriately addressed his medical needs.
- c. The mother has missed multiple doctor appointments for the child.
- d. The mother has not been appropriately administering the child's insulin.
- e. The child has fallen from the 50th percentile for weight at age 5 to the 10th percentile at age 6½ and to the 5th percentile at age 7½. The child has fallen from the 50th percentile for height at age 5 to the 5th percentile at the age of 7½. Both the height and weight drop can be attributable to insufficient insulin.
- f. This child runs very close to ketoacidosis at all times and with his young age and, concurrent illness could throw him into frank DKA (kidney failure). Lack of attention to the signs and symptoms of DKA can lead to death of cerebral edema (swelling of the brain) which may be permanently harmful to the child.
- g. The mother was interviewed on September 18, 2000 and was evasive, uncooperative and resistant to assistance from DCFS.

5. Peter has not been attending school on a regular basis.

6. There did not appear to be an immediate risk to Peter or Leigh. These children were therefore not taken into custody. ~~DCFS asserts that protective supervision should be provided for their benefit~~ The mother has, since the child Jordan was taken into custody, decompensated and has been acting irrationally. DCFS feels the well being of Peter and Leigh is threatened and will take these children into custody as soon as practicable.

7. The child has been neglected due to the faults and habits of the parents.
8. *The mother is transient, currently living in hotels.*
9. The child has been abused in that he has been subjected to non-accidental physical

harm.

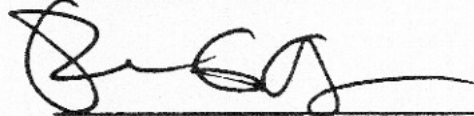
10. The child is neither enrolled in, nor eligible for enrollment in any Native American tribe.

THEREFORE, the Petitioner prays for findings, judgment and relief as follows:

1. That this child has been abused as defined in UCA § 78-3a-103(1)(a);
2. That this child has been neglected as defined in UCA § 78-3a-103(1)(q);
3. That this child is dependent as defined in UCA § 78-3a-103(1)(h);
4. That this child is a sibling-at-risk as defined by UCA § 78-3a-103(1)(q)(i)(D);
5. That the DCFS should have custody and guardianship over the child;
6. That protective supervision be provided with respect to his siblings;
7. That the parents and child be ordered to participate in a treatment plan;
8. That the parents be ordered to meet with the Office of Recovery Services to determine reasonable support for the child while she is in State's custody;
9. That this Court enter any other orders for the commitment, custody, care and support or such other and further relief as the child's welfare and interests of the State may require.

DATED this 20th day of October, 2000.

JAN GRAHAM
ATTORNEY GENERAL


PAUL G. AMANN
Assistant Attorney General

STATE OF UTAH)
) ss.
SALT LAKE COUNTY)

I, Barry Richards, being first sworn under oath, do depose and state:

1. I am an employee of the State of Utah, Child Protection Services.
2. I have read the foregoing Petition, and attest that the matters stated therein are true based upon my personal knowledge, except as to those matters stated upon information and belief, and as to those matters, I believe them to be true.

DATED this ____ day of October, 2000.

DCFS

SUBSCRIBED AND SWORN to before me this ____ day of ^{October}~~September~~, 2000.

NOTARY PUBLIC
Residing at Salt Lake County
Commission Expires: _____