

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

SHARONELL FULTON, CECELIA  
PAUL, TONI LYNN SIMMS-BUSCH,  
and CATHOLIC SOCIAL SERVICES,

*Plaintiffs,*

v.

CITY OF PHILADELPHIA,  
DEPARTMENT OF HUMAN  
SERVICES FOR THE CITY OF  
PHILADELPHIA, and  
PHILADELPHIA COMMISSION ON  
HUMAN RELATIONS,

*Defendants.*

Civil Action No. 18-2075

Assigned to the Honorable  
Judge Tucker

**DECLARATION OF DOE FOSTER MOTHER #1**

1. I am over the age of 21 years old and capable of making this declaration pursuant to 28 U.S.C. § 1746. I have not been convicted of a felony or been convicted of a crime of dishonesty. I have personal knowledge of all of the contents of this declaration.

2. I am a foster parent who works with Catholic Social Services. I have fostered fourteen children over eighteen years as a foster parent, and I have adopted two of them. Some of the children I have cared for have had significant special needs and learning disabilities. For example, more than one of the children I have cared for was diagnosed with autism.

3. Catholic Social Services has provided me with significant support and resources to help me care for the needs of my foster children, and they also provided me with additional help as I worked to meet the needs of my autistic foster children. I have been able to call social workers at any hour and receive an answer from someone I knew and trusted, and I have always relied heavily on the social workers I interact with. These social workers have always demonstrated the highest level of care and have shown great love and attention to my children. Although I am not Catholic, I am a religious person and I appreciate the spiritual environment at Catholic Social Services and the way that seems to motivate a dedication to children. My own religious beliefs inspire me to want to care for children in need.

4. I have never worked with another foster agency and I am not certified to receive foster placements through any other agency. I want to continue working with the agency and social workers whom I trust.

5. I received a new foster son, Doe Foster Child #1, in October of 2016. Doe Foster Child #1 is a young child, but he is the age that other children have normally already started speaking in full sentences. However, when Doe Foster Child #1 came to my home he never spoke at all in the beginning. He also had great difficulty eating, and he was very fearful of other normal activities like taking a bath. Because he did not speak, it was also difficult to understand in the beginning what Doe Foster Child #1 needed. After consultation with my Catholic Social Service social workers, and with medical attention, Doe Foster Child #1 was diagnosed with autism. Because of Doe Foster Child #1's age, we do not know yet Doe Foster Child #1's level on the

autism spectrum. We began to take Doe Foster Child #1 to receive therapy for autism, and we also had more information about how to meet Doe Foster Child #1's needs.

6. In the months after coming to our family, Doe Foster Child #1 began to show remarkable progress. He began to say some words, like "hi" and "bye," he would play happily in the bath, and he showed great affection and attachment to our family members. Doe Foster Child #1 is also the same age as my grandson who lives with me. The two boys shared a room and developed a deep bond. I would often find them playing together in the backyard.

7. On one occasion, one of my adult children took Doe Foster Child #1 to the dentist for an appointment. Doe Foster Child #1 was so fearful and upset when he thought he would be taken from our family. But when he came back after the appointment he bolted out of the car and into the house and held me tight as he happily and repeatedly said, "hi, hi." I assured him that this was his home, that he did not need to worry, that I loved him, and everything was ok.

8. When I have adopted foster children in the past, one of my adult children co-signed on the adoption. That way if anything ever happened to me, I had peace of mind knowing that my adopted child would still be taken care of.

9. Within the last few months, Doe Foster Child #1's social worker asked if I wanted to adopt Doe Foster Child #1. He said that no other families were interested in adopting. I expressed interest in adopting, but I explained that I needed to consult with my adult children and figure out who would co-sign on Doe Foster

Child #1's adoption. Because of different events going on in the lives of my adult children, I knew that this would take some time.

10. Just a few weeks ago, Doe Foster Child #1 was removed from my home to be placed with another foster family who was immediately ready to adopt Doe Foster Child #1 I was heartbroken when this happened. I thought that I would have more time and be able to adopt Doe Foster Child #1 myself. When the social worker with the CUA in charge of Doe Foster Child #1 came to pick him up to take him away, I kissed him goodbye and told him how much I loved him. But every time the social worker tried to lead Doe Foster Child #1 out of our home, he would wriggle free and come running back to hold me. Doe Foster Child #1 finally had to be carried crying from our home. I watched from the window in my house as my adult son helped carry Doe Foster Child #1 out. While doing so, my son kept assuring Doe Foster Child #1 that it would be ok, that he would like his new family, and that we would always love him.

11. Very recently, the social worker with the CUA in charge of Doe Foster Child #1 contacted me and let me know that an emergency situation had arisen with the foster family Doe Foster Child #1 was placed with, and all the children in that home were being immediately removed. He did not give me details, but he asked if I would be willing to take Doe Foster Child #1 back. My immediate response was, "bring my son home." The social worker said he needed to check with DHS and would get back to me.

12. The social worker then followed up the same day and informed me that DHS denied the request to place Doe Foster Child #1 with me because I work with Catholic Social Services. DHS apparently told the social worker that “Catholic Social Services is going through a case right now and DHS is not approving him to come back here.” I was devastated when I heard this news. The social worker seemed upset as well. The social worker said that the only option they had for Doe Foster Child #1 was a temporary respite home, but he would be moved from that home after a few days while they searched for another home.

13. I repeatedly expressed my desire to Doe Foster Child #1’s social worker that he bring Doe Foster Child #1 back to my home. I also communicated this to my social workers at Catholic Social Services. I also spoke with my adult son, who told me he was prepared to co-sign on Doe Foster Child #1’s adoption if we could get him back. I communicated the fact that I was immediately prepared to adopt Doe Foster Child #1 to my social workers and Doe Foster Child #1’s social worker, but the social workers still did not bring Doe Foster Child #1 back home. My grandson frequently asks when Doe Foster Child #1 will come back home.

14. Recently, the social worker informed me that Doe Foster Child #1 was having difficulty associated with normal bodily functions. The social worker asked if I had any advice to help Doe Foster Child #1. It sounded to me as though Doe Foster Child #1 was regressing, and that some of these problems were related to Doe Foster Child #1’s earlier issues with eating properly. I gave the social worker detailed instructions about how to prepare Doe Foster Child #1’s food, what he liked to eat,

and how to help him with other bodily functions. But I also expressed again that the best thing for Doe Foster Child #1 would be to come back to our family. When Doe Foster Child #1 lived in our home, he was thriving and he felt safe and loved.

15. I have learned that Doe Foster Child #1 has not been receiving his regular and needed therapy for his autism, because Doe Foster Child #1's school called me to ask why Doe Foster Child #1 had not been attending his special classes and receiving therapy. The school wondered if Doe Foster Child #1 was sick since he had not been attending. I am worried about his physical and emotional wellbeing right now. I also understand that Doe Foster Child #1 has since been moved to another temporary respite home, and that there is no other permanent home available for Doe Foster Child #1 right now. My understanding is that under normal circumstances, Doe Foster Child #1 would have been placed with me so that I could give him the love and care he needs, and we could proceed with the adoption process. DHS has not provided me with any reason—other than its dispute with Catholic Social Services—for refusing to let me care for Doe Foster Child #1, I say prayers for his return throughout the day and look at Doe Foster Child #1's pictures every night. I frequently call his social worker to see if I can do anything to get Doe Foster Child #1 back. I cannot understand why Doe Foster Child #1 is being kept from me.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 6, 2018.

*Doe Foster Mother #1*

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