

[CAPTION]

MOTION FOR DISCOVERY (CHINS)

The Respondent, by her attorney, respectfully moves this Court for discovery on each of the following items hereinafter set forth:

1. A list of all witnesses and their address in the above cause including those witnesses the Department of Child Services (“DCS”) intends to call at the hearing of the above cause, and including all known or anticipated rebuttal witnesses, and the Respondent further moves that said order continue to and include the fact-finding hearing in this cause and continue until the completion of the case.
2. As to all the names of witnesses listed above, all written or recorded statements, and memorandum, containing the substantially verbatim reports of their oral statements and a list of memorandum summarizing their oral statements.
3. Any and all information of whatever source or nature which tends to exculpate the Respondent either through an indication of her compliance with DCS requests and requirements and all information which may become a benefit to the Respondent preparing for or presenting the merits of her defense of this proceeding. This request includes all facts and information of whatever source or nature of which the DCS, or any other law enforcement agency or any of their agents have or know about which is or may be calculated to become a benefit to the Respondent either on the merits of the cause or questions of the credibility of witnesses.
4. A listing of any and all grounds that the DCS intends to produce at hearing in this matter as to why the child should be adjudicated a CHINS.
5. Any and all reports of any service provider or other agent of the DCS who has been involved in the CHINS case in this matter herein pending.

6. Any and all notes, memoranda, reports, affidavits of any Caseworker, service provider, and any other person or agency that the DCS will call as a witness in the hearing in this matter.
7. The minute-entry log [Contact Log] kept by the DCS as to all action taken in the CHINS case in this matter and all contacts made to the Caseworker.
8. Any and all written statements and the substance of any oral statements made by the Respondent and list of witnesses to the making and acknowledgment of such statements.
9. Any and all books, papers, documents, photographs, or intangible objects which the DCS intends to use in the hearing or trial of this cause which were obtained from or alleged to belong to the Respondent.
10. Any and all records of criminal convictions which may be used for impeachment of persons whom the state intends to call as witnesses at the hearing in this cause, and a copy of the record of prior criminal convictions, if any, of the Respondent.
11. A list of any expert witnesses, including name, address, telephone number, and the nature of their testimony, including the Curriculum Vitae or resume of said person with education and qualifications included.
12. A copy of all exhibits that the DCS intends to introduce in the trial in this matter.

WHEREFORE, the Respondent prays that this Court grant an Order for Discovery as requested.

**THIS REQUEST IS OF A CONTINUING NATURE AND COUNSEL REQUESTS IT BE
UPDATED ACCORDINGLY.**

(Signature)

CASE LAW

Matter of Snyder, 418 N.E.2d 1171 (Ind.Ct.App. 1981) (Department of Public Welfare caseworker's notes were not protected by work product privilege; Mother argued that she signed consent to terminate parental rights involuntarily, and caseworker's notes might have demonstrated undue influence exerted upon her by caseworker; notes were not prepared in anticipation of litigation because child wardship cases do not necessarily lead to petition for termination of parental rights; judgment reversed).