

Amber J. Williams

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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
HELENA DIVISION**

AMBER J. WILLIAMS,

CV 20-00023-H-DLC-JTJ

PLAINTIFF,

VS.

**MOTION TO ADD KAREN
GALVIN, ACADIA MONTANA STAFF
MEMBER AND CHILD THERAPIST TO
ORDER LISTING AS UNSERVED
DEFENDANTS AND TO PROVIDE A
MORE DEFINITE STATEMENT**

CANDICE OSTERMAN, et al.,

DEFENDANTS,

Plaintiff, Amber J. Williams, biological and natural mother of N.R. respectfully moves the Court to have Karen Galvin, Acadia Montana staff member and child therapist, added from the list of unserved defendants in this matter. To be served

and added to the claim against her. To Answer to the allegations therefore and herein.

BACKGROUND

N.R. would shortly become overtaken with failure to thrive once in the care of Acadia Montana, under Karen Galvin, staff member and child therapist. N.R. got stuck having Karen Galvin as his caseworker at Acadia. This was very horrible for N.R... N.R.'s growth was regularly hindered by Ms. Galvin. Noah began to slice up his arms and bust through locked doors. Ms. Galvin would threaten to take N.R.'s visits away. Ms. Galvin wouldn't allow N.R. to call me, his non offending mother, but would allow N.R. to have phone calls, on site visits and off-site visits with his abuser and biological father. When N.R. and I would have our visits, Ms. Galvin would not allow N.R. to express his feelings with me and she would cut him off from talking to me. Ms. Galvin exasperated N.R.'s post-traumatic stress disorder. N.R. reported to Ms. Galvin multiple times that he could not work with her because of this issue and that he wanted another case worker so that he could be successful in his program. Ms. Galvin refused. Ms. Galvin steadily had N.R. placed on psychotropic medications that included clonidine and Prozac. Noah also reports, being forced to undergo chemical restraints by being held down and given "butt darts" (shots of thorazine in his hip by the nurse) for misbehaving against staff wishes which was approved by C.P.S. Candice Osterman. On several of my visits with N.R. at the Acadia group home, I witness N.R. to have bruises on his wrists from being put into restraint holds by staff members and in severe emotional distress, when Karen Galvin told me not to interact with my son who was in this state of being. I was not allowed to nurture or protect my 10-year-old child. I, Amber Williams, Plaintiff, physically watched my son, N.R. being mentally and emotionally tortured by Ms. Karen Galvin, while N.R. was forced into placement at Acadia Montana.

LEGAL STANDARD

Plaintiff asserts a host of claims against a Defendant, Karen Galvin, Acadia Montana Staff Member and Child Therapist. Based on the legal terms of said

claims against all of the Defendants involved in this matter, it is presumed to be valid to hold Karen Galvin, Acadia Montana Staff Member and Child Therapist, accountable for her individual involvements in aiding Child Protection Specialist, Candice Osterman, of the following allegations against her. These claims are including but not limited to the injuries as well that were and have been acquired to said child and myself, Amber Williams and N.R. in this matter. Child Protection Specialist Candice Osterman gained temporary guardianship of N.R., based on another case, which was ordered against N.R.'s biological father Christopher Rasmussen, in which Amber Williams was the non-offending parent, the plaintiff, Amber Williams, parental rights were still intact throughout the entirety of the temporary placements of N.R., and his mother, Amber Williams was forced to endure the following during their time of forced separation. Leaving a wide variety of injustices that took place while N.R. was forced into the states care. Thus, creating grounds for the following to take place while N.R. was placed inside states temporary custody, against the will of the plaintiff, Amber Williams. The Plaintiff, Amber Williams, asserts that Karen Galvin, Acadia Montana Staff Member and child therapist, is responsible for the following allegations against her.

Robbery by a Government Entity, is the action of taking property unlawfully from a person or place by force or threat of force. Deprivation of her Civil Rights by Torturous Intervention of a Mother Child Relationship, is the act of when an infant or child is unable to form a warm, intimate, and continuous relationship with its mother or maternal figure, then the child is at risk of developing behavioral and emotional disorders. Enslavement by a government entity, the action of making someone a slave against their will and or well-being. Terrorism by a government entity, the unlawful use of force or violence against a person(s) or property to intimidate or coerce. Interference of Civil Rights, if two or more persons in any state or territory conspire to prevent, by force, intimidation, or threaten any person from accepting or holding any office, trust, or place of confidence under the United States. Interference of Constitutional Rights, the person injures, oppresses, threatens, or intimidates another person with the intent to deprive that person of a right, privilege, or immunity in fact granted by the constitution or laws of the state. Violation of Parental Rights, Mont. Code

Ann. 40-4-227, it is policy of the state of Montana to recognize the constitutionally protected rights of parents and the integrity of the family unit. Parental Alienation is the process and the result of psychological manipulation of a child into showing unwarranted fear, disrespect, or hostility towards a parent or other family members. Furthermore, the asserted claims that may be listed under the "Injuries" section of the complaint are listed as injuries because they are a direct result of said claim. Therefore, making them injuries that were acquired due to the lack of a timely and lawfully interference of an appropriate manner which therefore lead to the abuse of state officials in this matter. Under Mont. Code Ann. 40-4-212 Best Interest of Child. (A) The wishes of the child's parent or parents. (B) the wishes of the child. (C) the interaction and the interrelationship of the child with the child's parent or parents and siblings and with any other person who significantly affects the child's best interests. (D) the child's adjustments to home, school, and community. (E) the mental and physical health of all individuals involved. (H) continuity and stability of care. (I) developmental needs of the child. (L) whether the child has frequent and continuing contact with both parents, which is considered to be in the child's best interests unless the court determines, after a hearing, that contact with a parent would be detrimental to the child's best interests. In making that determination, the court shall consider evidence of physical abuse or threat of physical abuse by one parent against the other parent or child. Mont. Code Ann. 41-3-102 Definitions. 2 "A person responsible for a child's welfare". 2 (b) a person providing care in a day- care facility. 2(d) any other person responsible for the child's welfare in a residential facility. 7(i) actual physical or psychological harm to a child. 7(ii) substantial risk of physical or psychological harm to a child. 7(A) actual physical or psychological harm to a child or substantial risk of physical or psychological harm to a child by the acts or omissions of a person responsible for the child's welfare. 8 "Concurrent Planning" means to work toward reunification of the child with eh family while at the same time developing treatment plans or making placement decisions or both. 21(i) inflicts or allows to be inflicted upon the child physical abuse, physical neglect, psychological abuse or neglect. 21(ii) commits or allows sexual abuse or exploitation of the child. 21(v) exposes or allows the child to be exposed to an unreasonable risk to the child's health or welfare by failing to intervene or eliminating the risks. 23(b) the term may not be construed to hold a victim responsible for failing to prevent the crime against the victim. Mont. Code Ann.

45-5-634 Parental Interference (A) before the entry of a court order determining parenting rights, takes, entices, or withholds a child from the other parent when the action manifests a purpose to substantially deprive that parent of parenting rights. (B) is one of two persons who has parenting authority of a child under a court order and takes, entices, or withholds the child from the other when the action manifests a purpose to substantially deprive the other parent of parenting rights. Mont. Code Ann. 45-5-622 Endangering welfare of children. 1 A parent, guardian, or other person supervising the welfare of a child less than 18 years old commits the offense of endangering the welfare of children if the parent, or guardian, or other person knowingly endangers the child's welfare by violating a duty of care, protection, or support. Mont. Code Ann. 45-8-212 Criminal Defamation, 1 Defamatory matter is anything that exposes a person or a group, class, or association to hatred, contempt, ridicule, degradation, or disgrace in society or injury to the person's or its business or occupation. Upon further review of the legal basis to the claim, the plaintiff, Amber Williams, would like the courts to review the legal grounds for failure to protect as being defined as when an adult fails to do something generally considered to be a safeguard or rescue a child from abuse or neglect. The negligence in this matter is to be defined as failure to take proper care or actions in doing something. Abuse of Power, official misconduct is the commission of an unlawful act, done in an official performance of official duties. Lack of Supervision, failed to provide the child with the supervision required to keep the child (1) from hurting self or others, (2) away from dangerous objects or situations. Chemical restraint, is a form of medical restraint in which a drug is given to restrict the freedoms or movement of a patient or in some cases to sedate a patient if they are in the realms of harming themselves or others.

ARGUMENT

In this Motion to Add Karen Galvin, Acadia Montana Staff Member and child Therapist, from the list of unserved defendants, should be fully able to ascertain the nature of the claims and determine which claims are asserted against her. As a result, Karen Galvin, Acadia Montana Staff Member and Child Therapist, can indeed formulate her response to the Plaintiffs Complaint in question. The Legal

Standard in this case shows that multiple laws were violated and infringed upon by Karen Galvin, Acadia Montana Staff Member and Child Therapist, as defined in said section of this motion. Therefore, leaving ground for Karen Galvin, Acadia Montana Staff Member and Child Therapist, to provide a proper response to the claim against her. Whether or not this defendant, Karen Galvin, Acadia Montana Staff Member and Child Therapist, is privately owned or state owned or an individual, she should be held fully accountable for her involvement in this claim and not protected under color of law. Due to the fact that her responsibilities are to provide care, treatment, housing, and basic necessities of living to children that enter the care of the state of Montana as youth in need of care, even when said family and children are forced against their will, they should be held to the same exact standards as any other state entity in the state of Montana. The Plaintiffs conclusory allegation that "all defendants aided" Osterman does cure this defect because it does clarify how this alleged conduct results in constitutional liability for Karen Galvin, Acadia Montana Staff Member and Child Therapist.

CONCLUSION

The Plaintiff has hereby produced a more definite statement in response, to add Karen Galvin, Acadia Montana Staff Member and Child Therapist, from the unserved defendant list to answer the complaint against her. The Defendant, Karen Galvin, Acadia Montana Staff Member and Child Therapist, should in fact be able to formulate a correct and true statement to the claims against her. The Defendant, Karen Galvin, Acadia Montana Staff Member and Child Therapist, can ascertain the nature of the claims and provide a correct response therefore and herein.

Dated this 05th day of November 2020.

By: Amber J. Williams

A handwritten signature in cursive script that reads "Amber J. Williams". The signature is written in black ink and is positioned below the typed name.

Plaintiff

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