















Your further claim that "all parents are required to show in person unless pre-approved from the judge" is equally unsupported. The only document I received was a "Notice of Protective Custody" pamphlet, which is neither a summons nor a petition. It contained no directive for mandatory in-person appearance. **ORS 419B.038** requires proper service of summons or notice in dependency cases, and **ORS 419B.040** makes proof of service a jurisdictional prerequisite. Without proper service and proof in the record, the court lacked jurisdiction to proceed with the shelter hearing.

I attempted to appear specially through a written filing. That filing was rejected by court staff, who told me I could not submit anything in the case and that filings could only be made in person. I was thereby denied access to the proceedings. The hearing being proceeded in my absence without jurisdiction, without proper notice or summons, and without me being told where my daughter is located.

Finally, I must address the supervisor's message reporting that hospital staff felt I was "escalating" when I called seeking information. These calls were made only because DHS gave me conflicting information as to whether my daughter was even at the hospital. Under these circumstances, my persistence was not "escalation" but the only means available to verify my daughter's location and safety. Attempts to request a parent's urgent inquiries as misconduct are improper and retaliatory.

On these facts:

- DHS has failed to meet its statutory obligations under ORS 419B.038 and .040.
- DHS has not produced the contact documentation required by its own Section 4 manual.
- I was obstructed from filing and participating in violation of due process.
- My child has been removed without lawful notice, without jurisdiction, and without disclosure of her placement.

Accordingly, I demand:

1. A written, itemized accounting of all alleged contact attempts since July 2025.
2. Clarification of DHS's official practices for notification and appearance requirements.
3. Immediate disclosure of my daughter's placement and status.
4. Formal acknowledgment that I will be seeking rehearing and review due to these procedural defects, agency misrepresentations, and the court's lack of jurisdiction.

Respectfully,

not only did they give conflicting information but they said they would have someone call me back after they put her on a "no patient" list or something so that if someone called the hospital would say that she wasn't there. The security guard told me that there are exceptions to that rule and that the exceptions were likely contrived in my case because they wouldn't have had any basis not to tell me where she is. But still, I've seen no paperwork and my daughter is gone.

But we don't address the accusation that I'm escalating. ... was not ... told the girl that she wasn't good at her job and told her that plenty, which I'm permitted to do. She continued to hang up on me and continued to call back looking for my daughter. She eventually threatened me by security who provided the info that someone would give me a call back. I haven't talked to my daughter since DHS stopped our conversation after hearing my daughter say that she never said she'd kill herself if she had to come back to my house.

Good afternoon, Mr. Pate, Your personal appearance was required for the shelter hearing on September 8, 2025, and you failed to appear. Attempting to submit paperwork in place of a required in-person appearance does not satisfy court requirements. If you have any further concerns or wish to discuss your situation in more detail, you are welcome to contact our Trial Court Administrator, Richard Middleton. He can be reached by phone at 503.646.6888 ext. 70588 or by email at [richard.middleton@dcyf.oregon.gov](mailto:richard.middleton@dcyf.oregon.gov) or via Agave. The perception that I read and nothing about a personal appearance and restricted my right to appear by filing, there is nothing in the rules that states that a personal appearance can be completed by sending notice of protective custody that can't be waived by a signed written appearance. Despite that, the rules of juvenile procedure state that a court only has jurisdiction to move forward in the case of a properly issued and served summons complete with petition, that... is not a notice of protective custody.