

**BROOKE ELVINGTON**  
ATTORNEY AT LAW

---

FOR IMMEDIATE RELEASE

COURT GRANTS PARENTS' MOTION FOR REUNIFICATION

Tampa, FL – December 16, 2019. On December 8, 2019 Noah McAdams returned to his parents' home after a long dependency battle. The Court entered an order officially granting our motion for reunification on December 16, 2019. Florida law requires that the case remain open for six months following an order for reunification. After that time, the Court will enter an order closing the case. During the next six months the Department will have the ability to communicate with the parents, visit with Noah, and address any concerns that the parents have. There is no supervision component, and Noah will remain with his parents.

On April 29, 2019 the State of Florida obtained an order removing 3-year old Noah McAdams from his mother and father. The sole basis for removal was the parents' purported failure to obtain medical treatment for Noah. Any assertion that the parents neglected Noah McAdams is simply false and is the result of a large number of mischaracterizations. While it is true that the parents, like any other, had hoped to avoid chemotherapy for their child, after consulting with a number of professionals, including oncologists and alternative practitioners, the parents decided that the appropriate course of action for this particular disease was the traditional protocol including chemotherapy. This decision was entered into carefully; however, there was not much delay. The parents stipulated to chemotherapy in early May 2019. Much of the battle at that point related to the incorporation of alternative medicine as a supplement.

All parents have an absolute right to obtain second and third opinions, if necessary, on behalf of their children. This is precisely what the parents did in this case. Testifying witnesses from Johns Hopkins confirmed that no sense of urgency was relayed to the parents when the parents informed JHAC that Noah would not be continuing chemotherapy at their facility on April 22. As such, the parents believed that there would be no harm to Noah if they delayed chemotherapy to seek additional opinions.

It is important to note that there are two components to this case: compelling medical care and removal of a child. Despite parental fundamental rights, the State may seek an order compelling medical care against parental wishes if imminently necessary for the child's well-being. However, removal is not required. There is no question in this case that the parents stipulated to all medical care and complied with all directives. Removal was entirely unnecessary, and unfortunately caused significant trauma to a child already enduring a traumatic experience as a result of his medical condition.

Despite the parents' agreement to all medical care, the parents were limited to supervised visitation until just weeks ago. The Department repeatedly insisted that the parents must complete a psychological evaluation prior to moving forward with visitation. The parents did so voluntarily, and at their own expense, during the summer 2019. The results were favorable to

the parents; however, the Department wanted further evaluations. Despite requesting the evaluations, the Department was not in a position to fund the evaluations. Fortunately, the parents were able to complete the evals at their own expense. Of course, their ability to do so was largely due to the outpouring of community support, and the parents remain grateful. The expert conclusions reflect the same point that we have argued from the beginning— there is no endangerment to Noah. Notably, had the parents lacked the financial ability to obtain their evaluations at their own expense, we would still be waiting in limbo with Noah McAdams out of parental custody, and the parents likely limited to supervised visitation.

From a dependency perspective, this case was relatively short; however, what happened in this case is wrong. No parent should suffer removal of a child, and no child should suffer the trauma of separation, as a result of a disagreement over medical care. Even if the parents had not consented to medical care, an order compelling care would have resolved that issue. Moreover, no parent should ever be placed into a position of fearing removal of their child when they dare to question medical doctors.

It is important to note that had the parents declined medical care, (of which they did not do), based upon religious beliefs, rather than ideological, Florida law would have *prohibited Noah's removal*. The State would have been able to compel treatment but would not be permitted to remove the child. This is a significant factor that must be kept into perspective, and obviously there is a need for legislative reform to prevent this scenario from happening to other families.

Noah is at home with his mom and dad! A long healing process will take place, but for now Joshua and Taylor are at peace with their little boy in their arms.