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June 30, 2008

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Court Issues Major Ruling In Favor of Foster Children: Finds that Department Has Not Complied With Foster Care Reform Settlement Agreement

Bellingham, WA - Today, Judge Charles Snyder of the Whatcom County Superior Court ruled that the Department of Social and Health Services must keep the promises it made to Washington's foster children in July, 2004.

Plaintiffs in Braam v. State, a class action which resulted in a foster care reform settlement, argued that the Court's action was necessary to remedy the Department's longstanding noncompliance with the settlement agreement in four areas. The Court found that the Department had failed to comply with each of those areas, as well as failed to provide adequate data about the children in its care. It ordered the Department to, within a month, detail how it would comply with these four areas:

- * Monthly visits: The Department must provide monthly visits to all children in its care starting September 1, 2008.
- * Caseloads - The Department must commit to plan to reduce caseloads of foster care workers to adhere to the standard of one caseworker for every 18 children in care or 8 children with special needs.
- * Sibling Contact - The Department must provide twice-monthly contacts between siblings separated in foster care.
- * Mental Health - The Department must provide child health and education tracking screens ("CHET Screens") within 30 days of entry into care.

"Today, the Court said that it would hold the Department accountable for the promises it made to the children four years ago," stated Casey Trupin of Columbia Legal Services, who argued the motion on behalf of attorneys for the Plaintiffs. "This is a huge win for the foster children who have for too long been waiting for improvements the Department said it would make."

The Court rejected the Department's request to dismiss the motion to enforce, noting that court enforcement was specifically contemplated by the agreement. The Department's argument that enforcement was inappropriate, the Court said, would have rendered the agreement meaningless.

The Court ordered the Department to determine whether it needed funding to comply, and to request that funding from the Legislature next session. The Court also found that the Department had "fallen well short of its obligation" to provide sufficient data about foster children, and ordered it to provide more reliable data. The Department will have to show, according to the Court's ruling, "demonstrable" progress, within a few months, to avoid regular court monitoring.

The Braam lawsuit brought on behalf of thousands of foster children in the state of Washington who had been bounced from home to home by the foster care system. In July, 2004, the foster children and the Department of Social and Health Services agreed upon a Settlement Agreement requiring sweeping reforms in the foster care system and oversight by an expert panel. In February of 2006 the Braam Panel created by the Agreement released its Implementation Plan, which set out a definitive plan for reform over the next five years. The plan requires changes in six key areas that affect children's lives in the foster care system: placement stability, mental health, foster parent training and information, unsafe or inappropriate placements, sibling separation, and services to adolescents. For more information, see www.braamkids.org <<http://www.braamkids.org>> .

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