

WA foster-care settlement battle goes back to court

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By RAY LANE / KING 5 News



Lawyers are taking the state back to court to enforce a lawsuit settlement

OLYMPIA, Wash. - Lawyers for over a dozen foster kids say they're taking the state back to court to enforce a lawsuit settlement that hasn't been fulfilled.

It's the latest twist in a landmark lawsuit known as the Braam case which started in 1998, in which 13 foster children sued the state for bouncing them around foster homes without adequate services.

Foster-care attorneys say, even after an agreement was worked out in 2004, nothing has changed and that the welfare of foster children remains at the bottom of the barrel.

"We cannot sit by and watch children continue to be harmed without taking whatever action we can," said attorney Casey Trupin, Columbia Legal Services.

The state agreed to a settlement to improve the lives of thousands of foster children by making badly needed changes to the system. The problem, attorneys say, is that those changes still have not happened.

"There's no doubt in our mind that this had led to specific harm suffered by kids... serious harm," said Trupin.

It was back in 2004 when KING 5 News talked with Amie Watkins. As a foster child, she went through a lot. Over 18 years, she kept track of the 34 different homes she lived in.

"It was really hard for me to bounce around because some of the homes I was in, I was there three days long. I would have a little suitcase with me and sometimes it wouldn't even be unpacked because I wasn't there long enough," said Watkins.

From the constant shuffling of kids to abuse claims to children running away, there are plenty of problems.

The latest legal showdown says the state's foster care program is falling way short in four key areas:

Safety -- with reports that more than 60 percent of foster children are not receiving crucial monthly visits from caseworkers.

Caseloads -- accusations that the state is not reducing the already hefty caseloads of those workers. The average right now is about 25 to 30 cases for every worker.

Sibling contact -- that the state is not providing required visits between separated brothers and sisters living with different families.

Mental health -- that at least two-thirds of the state's foster children are not getting legally mandated screenings for mental health, general health and education problems.

Attorneys want the court to enforce the settlement now and they say for the state to blame a lack of funding is not the right answer.

"The state has been saying we don't have the money to be paying these personal injury claims when kids get harmed in foster care. Make the changes that will prevent these situations from happening and you'll save money in the long run," said Trupin.

There are roughly 10,000 foster kids in Washington at any given time.

(The Associated Press contributed to this report.)