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John Midgley, Director

April 2, 2008

Braam Stakeholders  
Via Braamkids Listserv

Re: 2008 Supplemental Budget: Braam Analysis

Dear Foster Care Stakeholders:

As counsel for the class of thousands of foster children in *Braam v. Washington*, we are pleased to report that funding for several critical foster care issues was included in the final budget signed by Governor Gregoire last night. These items include, among other things, funding to: provide monthly visits to all children in out-of-home placements by September 2008; facilitate twice-monthly visits between siblings living apart from each other in out-of-home care; and hire additional staff to perform child health and education tracking (CHET) screens. These items *directly* address three of the four items in the Plaintiffs' Motion to Enforce the Settlement Agreement filed in January. Plaintiffs have asked the Department of Social & Health Services (the Department) to report on whether the funding will *fully* address the noncompliance in those areas. Plaintiffs' attorneys are hopeful that they can reach an agreement with the Department that it will achieve substantial progress in the areas funded. The fourth item in the Motion—high caseloads carried by Department caseworkers—was not included in the budget and will have to be addressed in the near future.

Ultimately, the final 2008 supplemental budget reflects movement towards a realization of the State's duty to keep foster children free from unreasonable risks of harm by providing adequate services to meet their basic needs:

- **Monthly visits** will ensure that children in out-of-home care see their caseworker regularly and that the Department meets this long-standing and universally accepted standard in child welfare.
- Ensuring that **visits between siblings** occur reflects the state's acknowledgment of the importance of maintaining sibling relationships while children are separated from their biological families.
- Hiring additional **CHET screeners** reflects the state's commitment to provide early assessments to children in out-of-home care so that the state can meet their educational, mental and physical health, developmental, and emotional/behavioral needs.

The budget also included funding to increase placement stability by providing additional licensing staff to address a licensing backlog, to create a tiered classification for foster parent licensing, and to increase the Mockingbird Family Model, a successful program shown to increase child welfare outcomes related to *Braam*. All together, the budget provides almost \$5 million in state funds (\$6.3 million in total funds) for *Braam* items related to the recent Motion to



Enforce. An additional \$2.4 million in state funds (\$2.9 million total) is provided for items related to *Braam* but not addressed in the Motion to Enforce. The inclusion of these items was due to strong leadership on foster care issues by key Legislators in the House and Senate. Importantly, the funding should assist in the Department's goal of becoming nationally accredited.

Despite these successes, it is disappointing that the Governor vetoed other foster care items that would have a direct impact on the well-being and stability of children in foster care. Specifically, the Governor vetoed funding to expand the **Multidimensional Treatment Foster Care (MTFC)** program that recruits and trains homes to serve foster children with significant behavioral and emotional needs. The Governor also vetoed an item that would improve **educational outcomes** for children in foster care—to hire additional educational advocacy coordinators and to establish a pilot project to begin school-based recruitment of foster families. We believe the vetoes will make it harder for the Department to meet a number of the outcomes required by the Braam Implementation Plan.

The Governor also vetoed funding for a number of items intended to *prevent* children from ending up in long-term foster care.<sup>1</sup> While these items were not directly related to *Braam*, the rising numbers of children coming into foster care has a direct impact on the services received by children in care.

The two vetoed items that are most directly linked to *Braam* relate to MTFC and funding for educational advocates and school-based recruitment.

**MTFC**<sup>2</sup> (\$581,000 GF-S, \$900,000 total) is an intensive evidence-based program for children with significant mental health needs. MTFC is an alternative to group care or hospitalization that involves close supervision, a supportive relationship with a mentoring adult, and reduced exposure to peers with similar problems. MTFC intervention requires that foster parents (and other caregivers) be highly trained. This state faces a crisis around appropriate placements for foster children with significant mental health care needs—a crisis that results in negative outcomes for children, high costs for delayed treatment, and intolerable waitlists for appropriate interventions. MTFC is a proven, effective method to decrease placement disruptions for children with high needs. It is unclear why funding for this program would be removed from the state budget. The veto is even more confounding when one considers that MTFC (as applied to juvenile offenders) showed savings of 10 to 40 dollars for every dollar spent.<sup>3</sup> In other words, inclusion of MTFC would have been a cost saving measure. In addition, the state's investment of \$581,000 would have brought in \$319,000 in federal funds. Placement options for all foster children are steadily decreasing—this veto will exacerbate the issue for those children with the highest behavioral and emotional needs and who are, therefore, the most difficult to place.

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<sup>1</sup> An example of a “front-end” service the Governor vetoed is funding for home support specialists to assist families involved with Child Protective Services with support services (transportation, supervised visitation, and parenting skills instruction).

<sup>2</sup> Information on MTFC can be found at <http://www.mtfc.com/index.html>.

<sup>3</sup> <http://www.wsipp.wa.gov/rptfiles/costbenefit.pdf>.

The Governor's veto of funding to improve **educational outcomes** (\$905,000 GF-S, \$943,000 total) for children in foster care is also difficult to understand. The funding would have, among other things, increased the number of educational advocates available to assist foster children to succeed in school and would have implemented a school-based foster care recruitment pilot. Some of an educational advocate's many duties include helping students access education-related support services (including special education), preventing school changes when a student's home placement changes, and assisting with smooth transitions when a school change is unavoidable. Failure to include additional educational advocates in the budget means that fewer children in foster care will have access to these valuable advocates and the services they provide. Research has shown that children in foster care are far less likely to graduate from high school than youth in the general population. Furthermore, the Department has expressed frustration in meeting the needs of students in foster care and has noted that educational advocates are instrumental in helping these students succeed. Higher graduation rates are also closely linked to cost savings down the road.

As noted above, even though the Governor's vetoes were intended to save money, some of the items would have resulted in long-term cost savings. While these vetoes are disappointing, we are pleased with the Legislature's strong support of programs for foster children and hopeful that the Governor can be convinced of the necessity of these programs next year.

A line-by-line analysis of the final budget can be found at [www.BraamKids.org](http://www.BraamKids.org).

Sincerely,



Counsel for Plaintiffs  
Braam v. State