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FOR IMMEDIATE RELEASE

Jan. 16, 2008

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***Braam* Plaintiffs Return to Court to Enforce Settlement**

Seattle, WA – Plaintiffs in *Braam v. Washington* are returning to court today claiming that the state has failed to comply with a settlement agreement reached more than three years ago to make desperately needed changes to its foster care system. Citing “egregious” examples of continued non-compliance, lawyers for thousands of the state’s foster children have asked the court to enforce the settlement reached in July 2004.

The motion to be filed today in Whatcom Superior Court asks for court enforcement in four specific areas:

- Safety – More than 60 percent of foster children are not receiving monthly visits from caseworkers, a requirement listed in the Department’s own Kids Come First II Plan. The majority of foster children are denied this basic protective measure even though it is a universally accepted professional standard of care in child welfare. The motion said that the state has also blatantly refused to keep detailed data on caseworker visits.
- Caseloads – The Department has failed to reduce caseloads of foster care workers to adhere to accepted professional standards, and has also failed to provide a viable plan for reducing caseloads in the future. Currently, the statewide average for foster care caseworkers is 25 cases, although some caseworkers handle many more than that. Professional standards call for a maximum of 18 cases per worker, eight cases if they involve children with special needs. A recent study commissioned by the state Department of Social and Health Services (the Department) found that workers were falling short of “expectations of basic practice” while serving the children in their care.
- Sibling Contact – Even though siblings in care are now being separated more frequently, the Department is not providing the required visits between separated siblings. While the Settlement calls for twice monthly visits, less than half of siblings are receiving them. At the same time, the number of children being placed in care with their siblings is on the decline.
- Mental Health – More than two-thirds of Washington’s foster children do not receive legally mandated child health and education screening within the required 30-day time period. Thus, the Department is failing to provide adequate and timely treatment for mental health, health, and education problems.



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Plaintiffs have asked the court to order the Department to fully comply with these provisions of the Agreement within 60 days, and, within 90 days, impose a fine.

“The State has continued to put children in foster care at risk and has failed to protect them from the very harms that led to the filing of the original lawsuit,” noted Casey Trupin of Columbia Legal Services, one of the attorneys for the Plaintiffs. “We shouldn’t have ever gotten to this point, but the lack of urgency and insufficient commitment by the State to keep the promises it made to Washington’s children has made today’s action necessary.”

Plaintiffs note that the Legislature has passed laws over the past decade calling for the same relief requested by Plaintiffs. In addition, compliance with the standards set forth by the national Council on Accreditation would require these outcomes as well. Despite this, the Department is far from reaching compliance on any of these four issues.

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