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SOUTH CAROLINA OFFICIALS, CHILD ADVOCATES PRESENT LANDMARK FOSTER CARE SETTLEMENT IN FEDERAL COURT

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FEDERAL JUDGE APPROVES LANDMARK FOSTER CARE REFORM FOR S.C.

Agreement Heralds a Brighter Future for Children in State Care; Includes Lower Caseloads, Fewer Young Kids in Institutions, Better Health Care

(Charleston, S.C.) — South Carolina officials and attorneys for all children in foster care presented a landmark settlement to U.S. District Judge Richard M. Gergel for final approval at a public hearing in federal court today. The settlement requires significant changes to a system that for years has been troubled by a shortage of foster homes, excessive caseworker caseloads, and a failure to provide basic health care to kids.

ALTERNATE GRAPH:

U.S. District Judge Richard M. Gergel today granted final approval for a landmark settlement that requires dramatic changes for South Carolina's foster care system—which for years has been troubled by a shortage of foster homes, excessive caseworker caseloads, and a failure to provide basic health care to kids.

The settlement is the result of the lawsuit, *Michelle H. v. Haley*, seeking improvements on behalf of all 3,400 children in foster care statewide. National advocacy organization Children's Rights, the South Carolina Appleseed Legal Justice Center, and Matthew T. Richardson, an attorney with the South Carolina law firm Wyche P.A., filed the suit in January 2015.

Plaintiffs' attorneys applauded Governor Nikki Haley and State Director of the Department of Social Services (DSS) Susan Alford for quickly resolving to fix dangerous deficiencies in its foster care system.

"This settlement is a huge step forward for kids in foster care in South Carolina," said Christina Remlin, senior staff attorney at Children's Rights. "Governor Haley and Director Alford deserve credit for coming to the table early and committing to large-scale changes, which will vastly improve safety and outcomes for the young people in their care."

[The settlement](#) was the result of more than a year of intense negotiations under the direction of Senior U.S. District Judge P. Michael Duffy as mediator and promises vital changes, such as ensuring reasonable caseloads, improving safety oversight, placing fewer young children in institutions, and revamping the delivery of health care services.

“We partnered in this effort because of the dire need to bring accountability to DSS for the safety and protection of children in foster care,” said Sue Berkowitz, director of the South Carolina Appleseed Legal Justice Center. “There’s a lot of hard work ahead but, with children’s very lives at stake, the end result will clearly make the effort worthwhile.”

The settlement also makes final a set of interim relief agreed upon last September during negotiations, including ending practices such as: allowing children in state custody to stay overnight in hotels and DSS offices; placing kids age 6 and under in group facilities; and leaving foster kids in juvenile detention facilities even though they have completed their sentence or plea because there are no places to house them in foster care.

The settlement appoints two national, child welfare experts as independent co-monitors, Paul Vincent of the Child Welfare Policy and Practice Group and Judith Meltzer of the Center for the Study of Social Policy. They will issue periodic, public reports on the state’s progress in meeting benchmarks outlined in the settlement. The agreement [**add: once granted final approval**] will stay in place until the state meets and then sustains each obligation for a year.

“This result is an excellent example of legal advocacy leveling the playing field for our most vulnerable children who are too often rendered voiceless,” said Richardson. “There is nothing more important or gratifying than knowing these children, the very future of the state of South Carolina, will receive the attention and resources they need to thrive.”

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Children’s Rights is the leading organization in the U.S. dedicated to transforming failing child welfare systems through legal advocacy. Since 1995, the non-profit has secured court orders to achieve critical reforms in more than a dozen child welfare systems throughout the country, defending the civil rights of foster children, fixing ailing child welfare systems and helping thousands of children reunite with their families or join loving adoptive homes. www.childrensrights.org

South Carolina Appleseed Legal Justice Center is a forceful and respected advocate for low-income South Carolinians on issues such as housing, education, hunger, public benefits, domestic violence, immigration, health care and consumer issues. SC Appleseed is dedicated to effecting systemic change wherever we can do the most good – in and through the courthouse, legislature, administrative agencies, community and the media. We grow our impact by helping others do the same through education, training and co-counseling. www.scjustice.org

Matthew Richardson is one of the top attorneys in South Carolina and has served as president of two of the state’s largest legal organizations. Wyche, P.A. is a full-service law firm that has participated in landmark litigation and cutting-edge transactions, and that has been shaping and driving the region’s growth and success for more than 90 years. www.wyche.com