

EVERGREEN LEGAL SERVICES
KING COUNTY OFFICE
401 SECOND AVENUE SOUTH, SUITE 401
SEATTLE, WASHINGTON 98104

ADA SHEN-JAFFE
DIRECTOR

(206) 464-1422
1 (800) 342-5806
FAX (206) 382-3386

September 23, 1994

Secretary Jean Soliz
c/o Charlotte Clark Mahoney
Assistant Attorney General
2000 Bank of California Building
900 4th Avenue
Seattle, WA 98164

Re: WSCH et al v. DSHS et al

Dear Secretary Soliz:

As you know the court has ruled against DSHS's position in the homeless children's case. The court shortly will sign an order requiring DSHS to submit an adequate plan describing how DSHS proposes to serve our state's homeless families with children. This last February the court also declared DSHS's obligation to provide housing assistance in dependency cases to prevent or shorten foster care placements. Together these rulings confirm DSHS's responsibility.

The plaintiffs remain interested in a collaborative effort with DSHS to take best advantage of these rulings for our state's homeless children. I write to solicit your interest in the following:

1. Settlement

We remain interested in a settlement that would achieve the following:

- a. an adequate plan of assistance for our state's population of homeless children;
- b. an adequate plan to make housing resources available to CPS/CWS workers and the dependency courts for their use when necessary and effective to prevent or shorten a placement;
- c. waiver of appeals by both plaintiffs and defendants.

We have on several occasions described to you our view of an adequate plan. The

Secretary Jean Soliz
September 23, 1994
Page 2

uncontested evidence at trial fully supports the elements we regard as necessary for an effective and cost effective plan: prevention assistance, shelter, and transitional assistance. Most recently, in my letter to you of January 19, 1994, I reviewed those details and emphasized the plaintiffs' willingness to be flexible on both expenditure caps, scope, and the implementation schedule. DSHS can implement also a plan without creating any new administrative structures, instead relying on the ESAP and the CEAP/AR programs. The plaintiffs remain flexible and interested in a pragmatic solution.

A settlement would avoid further litigation, promote certainty on both costs and scope of DSHS responsibility and enhance the collaboration that DSHS will need from the social service providers.

2. Drafting the Plan

Even short of a settlement, DSHS must submit an adequate plan for the court's review. The plaintiffs look forward to participating in its drafting. Their expertise is at your disposal for the drafting of a serious plan. We can also help DSHS identify other experts as necessary, locally and in other states, on the foster care issues.

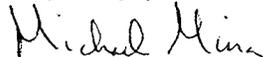
3. Unaccompanied Homeless Youth

At DSHS request, the court excluded unaccompanied homeless youth from the lawsuit. It found that they presented issues sufficiently distinct to warrant a separate lawsuit on their behalf. As we have told you previously, we intend to file that lawsuit. We are willing to wait longer before filing if in the next few weeks you can indicate to me your willingness to engage in serious settlement discussions concerning these children.

I enclose a copy of a letter that President Phoebe Nelson of the Coalition sent recently to Governor Lowry.

We look forward to hearing from you shortly.

Very truly yours,



Michael Mirra
Attorney at Law

enclosure

cc: Ms. Charlotte Clark Mahoney, AAG
Ms. Christine Gregoire, Attorney General
Ms. Phoebe Nelson

a.57:HOMCHIL.426