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COURT JURISDICTION OVER D.C. CHILD WELFARE SYSTEM TO END AFTER 30 YEARS

The District of Columbia effectively ended more than 30 years of court oversight over its child welfare system today, when the parties appeared before Judge Thomas Hogan, and plaintiffs notified the court that they would not invoke their right to enforce the court-ordered agreement. The court-ordered agreement, further developed after a two-week long trial in 1991, now ends automatically at the end of this year.

The LaShawn v. Bowser case has seen the system ordered into receivership for five years, the only child welfare system in the country put into receivership, and has moved through ongoing court oversight, under the monitoring by the Center for the Study of Social Policy. Judge Hogan has presided over the case since it was filed in 1989.

"The agency today is a very different organization than the one we sued in 1989" said Marcia Robinson Lowry, the lawyer who tried the case for the American Civil Liberties Union, and now is the executive director of A Better Childhood. "It is not perfect, but it does an infinitely better job protecting children and providing what these children need than when we tried the case in 1991. At that point, workers testified about taking up collections for typewriter ribbons so they could file reports with the court and that they worried about whether they would see one of their cases on the front pages of the newspaper the next day."

The court-ordered agreement between the plaintiffs and the DC Child and Family Services Agency provides that if plaintiffs do not invoke their right to assert a breach of the agreement by Sept. 28th, the lawsuit will automatically expire at the end of 2022. Plaintiffs announced in court today that the final issues had been addressed in a Statement of Intent and that they expected the D.C. mayor to sign the final provision, restoring contracting authority to the agency, by September 15th. Mayor Muriel Bowser is expected to attend the hearing at 2 p.m. today in the federal courthouse.

