



FOR IMMEDIATE RELEASE
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Settlement Reached in Oregon Foster Care Class-Action Lawsuit

Parties Agree to Transform System for Thousands of Children in its Care

Eugene, OR—Today, Governor Tina Kotek, the Oregon Department of Human Services (ODHS), Agency Director Fariborz Pakseresht, and Child Welfare Director Aprille Flint-Gerner entered into a settlement agreement with Disability Rights Oregon, A Better Childhood, Rizzo Bosworth Eraut PC, and Davis Wright Tremaine LLP, attorneys representing thousands of children and young adults experiencing foster care in Oregon. This settlement agreement stemmed from a class-action lawsuit, *Wyatt B. et al. v. Kotek et al.*, that sought to improve Oregon's foster care system.

The settlement agreement stipulates, in part:

- The State will contract with a mutually agreed upon Neutral Expert to address important foster care system outcome areas including maltreatment of children; quality of appropriate placements; re-entry rates; timeliness of case planning and age-appropriate mental, physical and dental health care assessments and referrals; notification and delivery of required reports of child maltreatment; and up to two (2) additional findings by the Neutral Expert within two (2) years that are actionable under the U.S. Constitution or Americans with Disabilities Act (ADA).
- The Neutral Expert's Initial Review shall occur by April 20, 2025 (extendable up to 90 days at request of Neutral Expert) and be followed by annual reviews assessing improvements.
- The Governor shall provide support to ODHS toward its efforts to achieve outcomes by assisting ODHS's collaboration with other state agencies and by reviewing the Initial Review

and annual reviews.

- The Settlement Agreement ends when the Neutral Expert determines ODHS is in substantial compliance with terms or within 10 years (whichever is sooner). If, after 10 years, the Neutral Expert determines additional time is needed, the Neutral Expert may recommend an extension of no more than two (2) years.

“This case has always been about providing children in the foster care system what they need to recover from trauma and thrive—stability, safety, and nurturing from the adults in their life,” said Jake Cornett, Executive Director and CEO of Disability Rights Oregon. “After more than five years, we’re grateful Governor Kotek and the Department of Human Services see the promise of working collectively to improve Oregon’s foster care system.”

“We are grateful for the willingness of all involved in this litigation to come together to find ways to achieve our mutual goal of improving outcomes for Oregon children and families,” said ODHS Director Fariborz Pakseresht. “This agreement is a testament to the progress we have made in child welfare over the past several years and allows us to focus on the important work ahead.”

“We are very pleased that this case has settled,” said Marcia Lowry, Executive Director of A Better Childhood. “We have seen that a collaborative approach to reform in other lawsuits has produced excellent results in other child welfare systems, and we hope the same will happen in Oregon. It takes both sides being committed to actual progress, measurable outcomes, and real results, which we are committed to seeing happen in Oregon.”

“This settlement gives us the opportunity to continue our efforts to transform the child welfare system by supporting and preserving families – while focusing on continuous improvements that will yield better outcomes for families we serve,” said ODHS Child Welfare Director Aprille Flint-Gerner. “We appreciate the hard work by both parties in reaching an agreement that is positive for Oregon children and families.”

Resources

- [Settlement Agreement](#)

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[Oregon Department of Human Services](#) (ODHS) is Oregon's principal agency for helping Oregonians achieve well-being and independence. It provides direct services to more than 1 million Oregonians each year. These services are a key safety net for people in diverse communities across Oregon.

[Disability Rights Oregon](#) upholds the civil rights of people with disabilities to live, work, and engage in the community. Serving as Oregon’s Protection & Advocacy system since 1977, the nonprofit works to transform systems, policies, and practices to give more people the opportunity to reach their full potential.

[A Better Childhood](#) is a national nonprofit advocacy organization that uses the courts to reform dysfunctional child welfare systems around the country.

[Rizzo Bosworth Eraut PC](#) is a litigation firm with deep roots in the Pacific Northwest. We work primarily on complex civil matters representing individuals, businesses, and insurers in Oregon, Washington, California, and Idaho.

[Davis Wright Tremaine LLP](#) is an AmLaw 100 law firm with more than 600 lawyers representing clients based throughout the United States and around the world.