

Is a Class Action Lawsuit an Effective Mechanism for Change? How Do We Evaluate These Efforts?

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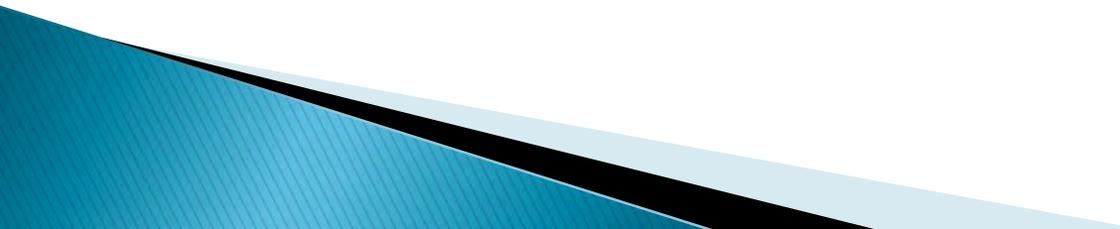
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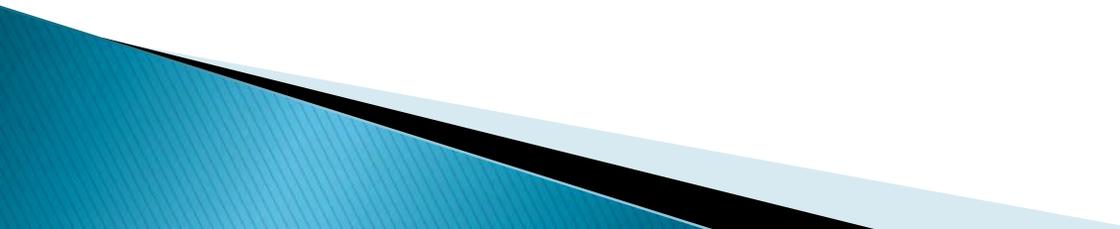
Given the history of these class action lawsuits, why don't agencies with similar problems, that have not yet been sued, pursue the reforms that could help avoid litigation?

What alternative actions by child welfare agencies might avoid a class action lawsuit entirely?

- ▶ One of the concerns about class actions is the financial cost to the state or local government , i.e. defending the suit and payment of attorneys fees.
 - ▶ Are these costs important to consider?
 - ▶ How can they be minimized given that money spent on the suits is money potentially taken away from services to children and families?
 - ▶ What are the other downsides of these suits?
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Assuming that no agency director wants to run an agency that is violating the constitutional rights of children and parents, how can we help agency directors better understand that there is a "special relationship" between the agency and children in foster care, and how to prevent suits based on such constitutional violations?

Is there a set of fundamental principles to be learned from all this litigation that could guide child welfare reform efforts across the country?



What should be the role of HHS and the Children's Bureau, in helping states achieve the reforms that are the subject of so many of these suits?



Is there a role for either in-house or independent evaluators who can study how to prevent a child welfare class action or examine its outcomes?



Can significant and widespread child welfare system reform ever happen in the absence of a class action lawsuit?



In the current legal climate, is it likely to become more difficult to bring and win these class action lawsuits?

Can states even attempt meaningful child welfare reform given the current fiscal situation and given the competing constituencies and interests?



Getting practice reforms to reach the “culture” of line workers: How do you really change the way agency workers deal with children, families, foster parents, and service providers?

