



Presentation to the Interim Senate Human Services
Committee

Wyatt Settlement

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September 23, 2024

Agenda

- I. History of Wyatt et al. v. Kotek et al
- II. Settlement agreement overview
- III. The role of the Neutral
- IV. Process and next steps
- V. Questions

Your Program Name

History of Wyatt et al. v. Kotek et al

April 2019: Lawsuit filed

- New plaintiffs joined (Disability Rights Oregon joined A Better Childhood and Davis Wright Tremaine)
- 10 children or young adults named plaintiffs
- Certified a class (general with three subclasses)
- Court narrowed the claims at issue

May 2024: Settlement reached

- Focus is improvements over 10-12 years
- Court has preliminarily approved
- Parties are working cooperatively toward final approval from the court

June-September 2024

- Interviews for Neutral conducted, Neutral assigned
- Listening sessions for class members held Aug. 1 and Aug. 3 co-hosted with ODHS and Disability Rights Oregon
- Fairness Hearing, Sept. 12
- Settlement objections heard; settlement approved

Unpacking the agreement

ODHS will set goals and make efforts towards:

- Keeping children and young adults safe from harm after they enter foster care
- Reducing re-entry rates
- Improve timely completion of case plans (60 days)
- Improve timely assessments for medical, dental and mental health treatment
- Increase the quality of placements and services
- Improve communication with state courts, attorneys, children and families about harm while in care



Role of the Neutral

- Kevin Ryan was selected as the Neutral for the settlement.
- Mr. Ryan served as New Jersey's first child advocate in before overseeing New Jersey's child welfare agency.
- He helped multiple states including Michigan, Oklahoma, Texas and New Jersey reform their child welfare systems.

Details

- Initial Report: April 20, 2025
- Annual Review for up to 12 years, depending on ODHS progress in areas the Neutral will define. The Neutral can up to two additional categories to monitor.

Listening sessions and feedback

- Nearly 5,000 children and young adults make up the class
- Youth who have experienced foster care were invited to share feedback at virtual listening sessions August 1 and August 3.
- Class members with objections were required to submit written letters by August 16 to have their input considered at the September 12 Fairness Hearing.



Fairness Hearing

- Judge Aiken invited youth and young adults who had experienced foster care to provide input on the settlement.
- Three people presented personal experiences of foster care at the hearing on September 12.
- Judge Aiken ruled to approve the settlement, emphasizing a need for youth input on ODHS progress.



Milestones and next steps: 2024-2025



Thank you.



A large, faint watermark of the Oregon State Seal is positioned on the left side of the slide. The seal is circular with a blue background. It features an eagle with spread wings at the top, a sun rising over mountains and a river in the center, and a ship on the water. The bottom half shows a plow and a sheaf of wheat. The outer ring contains the text "THE STATE OF OREGON" and the year "1859" at the bottom. A thin yellow horizontal line passes through the center of the seal.

Questions?

