

CASA, from page 5

an advocate.

Sen. Sara Gelser (D-Corvallis) signed on as one of the bill's 18 co-sponsors. "CASA is one of the best things that kids in the foster care system have going for them," she said.

Fewer lawsuits?

When it comes to fixing Oregon's flawed child welfare system, car-lot owner turned child welfare advocate Dick Withnell said CASA is the "silver bullet."

And he's found some evidence to suggest that when a foster child has a volunteer advocate, it may put the state at a lower risk of child welfare malpractice litigation.

Withnell said he began advocating for the CASA program after reading about how two foster children in Yamhill County were starved nearly to death.

The Oregonian reported it was "at least the third time since 2004, in cases involving at least five children, that (a) youngster placed in foster care by Oregon child welfare workers ended up suffering from life-threatening starvation."

The case resulted in a \$60 million lawsuit filed against the Department of Human Services in 2016 for overlooking red flags and failing to stop the abuse.

Withnell hired the Salem law firm Kevin L. Mannix PC to compile information pertaining to the malpractice lawsuits for child abuse brought against the state between 2012 and mid-2016. He also wanted to know whether any of the children in those cases had a volunteer advocate.

The firm wrote in an informal report that among the nine child abuse cases (consolidated into eight) lodged against the state that it was able to identify, Oregon was "potentially exposed to \$255,957,696 in liability."

Connor Harrington, the attorney who took the lead on the project, emphasized that the state didn't actually pay out that amount. But, he said, it could have because, due to the nature of the cases, judges could have awarded much greater damages.

According to Oregon's office of Risk Management, between January 2012 and December 2016, the Department of Human

Get involved

LOBBY YOUR LEGISLATOR

The House Committee on Judiciary is currently considering House Bill 2171, which would make it possible for every foster child in Oregon to have a Court Appointed Special Advocate. Let its members know what you think of the bill by contacting their offices in Salem.

Visit: olis.leg.state.or.us/liz/2017R1/Committees/HJUD/Overview, and click on member names to get their contact information.

BECOME A CASA

Oregon CASA Network is always looking for new volunteers to advocate for children in the child welfare system. Anyone 21 or older who has a flexible schedule and can pass a criminal background check can become a CASA.

Becoming a CASA requires about 30 hours of training, and an average of 10 hours of work per month; however, time requirements can vary greatly.

If employed, CASA volunteers should have some flexibility in their work schedule that would allow them to appear in court with the child or children they are representing.

Because being a constant fixture in a foster child's life is an important part of being a CASA, don't apply unless you can commit to sticking with a case until it's closed.

If you live in Multnomah County, visit casahelpskids.org. To see a full list of Oregon's CASA nonprofits, visit oregoncasanetwork.org.



Services paid out \$33.7 million in settlements related to child abuse cases, both litigated and un-litigated.

Finding out how many of the affected children in these child abuse cases had an advocate was not easy. There was no public information to indicate that any did, and among CASA staff interviewed for this story, none knew of any lawsuit in the past few years that involved a child who had an advocate.

The Department of Human Services

initially denied Street Roots' request for the number of cases that involved an advocate, but after we petitioned the Oregon Attorney General's Office, it agreed to give us a number.

Oregon Department of Human Services said it was unable to identify any cases other than the cases we provided them with, which was the list of cases that the law firm had compiled. Of those, a Department of Human Services spokesperson indicated two cases had a

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DICK WITHNELL,
CHILD WELFARE ADVOCATE

volunteer advocate "involved." Due to the closed nature of child abuse cases, Street Roots was unable to determine the nature of the two volunteers' involvement.

One might have been involved in the starvation case that Withnell read about. It was reported that an advocate was involved in that case; however, they were assigned to a sibling of one of the abused children who was in a different home.

It was the advocate who had alerted the state to the abuse, even though they were not representing the abused children.

But regardless of their involvement, this sample of cases indicates foster children who have advocates may be less likely to become plaintiffs in a lawsuit filed against the Department of Human Services – cases that exposed the agency to more than \$255 million in liability since 2012.

"I hope you will look at CASA, not as an expense, but as a purchase for return on investment," Withnell told lawmakers at the hearing. "And we're not talking about widgets here; we're talking about transformation of lives."

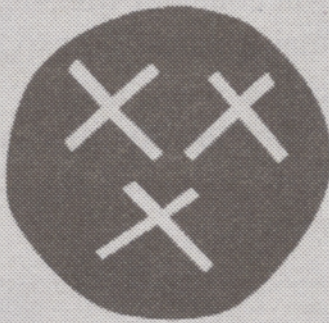
While the exact monetary cost of not funding CASA is unknown, the human cost is.

Brittany Hope, a foster youth from Washington County, gave heart-wrenching testimony about her experience in the foster care system, and how her advocate helped her through it.


"She really did save me," Hope told the committee as her eyes filled with tears. "While her title was only a 'Court Appointed Special Advocate,' she was everything to me. She was my support system, she was my mentor, and she was my best friend."

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