



**For Immediate Release:**  
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## **PLAINTIFFS' LAWYERS SEEK PERMISSION TO PROCEED WITH MOTION FOR RECEIVERSHIP OVER MISSISSIPPI FOSTER CARE SYSTEM**

Lawyers representing plaintiff children in the class-action foster care lawsuit *Olivia Y. vs. Bryant* today re-activated their motion for the creation of a federal court receivership to take control of Mississippi's child welfare system. The move follows the issuance of a report last week by the neutral court monitor that documented a massive lack of compliance with the requirements of a federal court order setting out requirements for the operation of the system.

Earlier this year, the federal court judge ordered that pending motions related to non-compliance with the court order and plaintiffs' request for a receivership should be held in abeyance and filed within 20 days from receipt of the Monitor's report. That report was filed with the court on June 10.

The monitor's report found the state in compliance with only 37 of the 113 obligations in the court order. For 41 of those requirements the state either reported having no data at all, or the monitoring group was unable to validate state information because of coding errors and other widespread data problems.

"The children of Mississippi have waited more than ten years to receive the benefits of a constitutional child welfare system," said Marcia Lowry, lead counsel for plaintiffs. "Ten years is more than enough time. The state is doing no more than making the same promises it has been making all along, and never living up to them."



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The papers filed by plaintiffs in federal court today request permission to proceed with the contempt motion, and also include the proposed new motion that will be filed if the court grants permission.

Wayne Drinkwater, a partner at Bradley Arant and co-counsel for plaintiffs, stated: “In its defense, the state relies on improvements that appear to be the result of work that was done during the period before Commissioner Jess Dickinson took office, and ignores the fact that the state continues to fail to meet the requirements of the court order.”

Lawyers for plaintiffs said they hope to proceed with the receivership motion as soon as the court grants permission for them to do so.

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*A Better Childhood, (ABC) is a national child welfare advocacy organization that represents abused and neglected children in dysfunctional child welfare systems. ABC also represents children in child welfare lawsuits in Oregon, Minneapolis, MN, Mississippi, New Jersey, Oklahoma, Texas, New York City, and the District of Columbia.*



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