

My First Message As Executive Director

By Danny Adelman

In February of 2018, I became the Executive Director of the Arizona Center for Law in the Public Interest. This is my first chance to communicate with many of you, and there are a few things I want to say.

First, I want to thank you for supporting the Center, and I want to assure you that we will continue to fight every single day on behalf of the people of Arizona who would otherwise have no one to advocate for them. The Center has a 40-plus year track record of successfully fighting for Arizona's public schools, for adequate healthcare, for the environment, and for our democracy.

It's my honor and privilege to continue to build on the Center's incredible legacy. We are presently awaiting appellate and Supreme Court opinions in several of our cases involving environmental issues, the people's right to make laws, and other important issues. We will report on those cases in subsequent newsletters. I will use the rest of my first message to talk about the school finance case. The Center has been leading the battle to force the State to adequately fund public schools for decades.

Over 20 years ago, it was the Center's work that resulted in an Arizona Supreme Court holding that the school finance system was unconstitutional. As a result of

that case more than 1.3 *billion* dollars was provided to fund public schools. In addition, a formula was adopted that would provide billions more over time to ensure that all of Arizona's children would have the opportunity to have a safe, appropriate facility where they could learn and grow. Real progress was being made.

Unfortunately, over the past decade, our Legislature has stripped away billions of dollars from Arizona's public schools. Needs are simply not being met. The gains made in the recent legislative session are a positive step. But even with the increase, capital funding remains woefully inadequate. School districts are being left in a terrible position of having to choose whether to use money to fix an aging bus fleet, buy textbooks and computers, increase salaries for counselors and support staff, or fix a roof or the air conditioning. Arizona children deserve better.

So once again, the Center is at the forefront of a case that asks the Court to rule that the State cannot ignore the Constitution by failing to ensure that every school's basic needs are met.

The importance of the Center's work to date can't be overstated. But there's a lot left to do, and—with your help and support—I could not be more excited for the challenge.

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in the Public Interest**

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WHY THE FOSTER CARE CASE IS ESSENTIAL

Arizona's Foster Children Can't Wait

by Anne Ronan and Harry Frischer

For decades, Arizona's child safety system was broken. Thousands of abuse and neglect claims had been ignored. Basic medical and behavioral health needs were not being met. More and more children were pouring into the system, and the places those children ended up were simply inadequate. The state agencies responsible for caring for these children were in crisis, placing innocent children at risk. Too many times they said, "We're going to fix it."

But enough is enough. After proving repeatedly that the State was not adequately caring for these children, in 2015, the Center joined forces with Children's Rights and sued.

The State has since made some changes, and by some measures, Arizona's foster care system has improved. The backlog of uninvestigated cases that came to light several years ago has been substantially reduced, and that is commendable. But, sadly, the State is still not adequately providing for the needs of the abused and neglected children who come into its care – so we must continue to fight for reform, because the kids' lives depend on it.

When we sued the Arizona Department of Child Safety and the Arizona Medicaid agency (formally known as Arizona Health Care Cost Containment System) in 2015, we knew it was the only way to help ensure kids in the foster system would get the care they deserve. DCS recently commented on the lawsuit in [the Arizona Republic], but contrary to the rosy picture DCS tries to present, many fundamental problems that compelled us to take action a few years ago remain, and Arizona's most vulnerable kids are still in harm's way.

As an example, "BK" was born into drug-ridden environment and walked with a limp. She suffered from early childhood trauma that led to diagnosed mental health issues, but was never treated. Instead of addressing her needs, by 2017 the state had put her in 13 different group homes and shelters – none of which could provide the level of care she desperately needed. She went without orthotics that could have helped with her limp for over two years. She was separated from her family and couldn't connect with siblings to receive emotional support. Ultimately, BK attempted suicide on several occasions – a potential tragedy which may have been prevented had DCS provided adequate mental health care.

We believe no child should be treated this way.

Currently, thousands of kids are still not receiving the physical, dental, and mental health care that they need. They are still being warehoused in inappropriate institutional settings. They are still being unnecessarily separated from their siblings and placed far

(Continued on page 3)

Foster Care, Continued

from their families. The detailed reports we recently provided to DCS and AHCCCS from five nationally-recognized experts document these extensive, continuing problems.

So many children in foster care have suffered significant trauma, yet the State still does not maintain sufficient placement and treatment options to meet their mental and physical health needs. For the services it does provide, there are indefensible delays and poor coordination. There is a continued shortage of therapeutic foster homes, a recurring unavailability of therapeutic services, and an inability to provide needed short- and long-term mental health care.

As a result, children with significant mental health needs are still being placed in inappropriate settings such as emergency shelters, offices, non-therapeutic group homes, and with families who have had no training or ability to provide for a child with those needs. Unsurprisingly, such placements are failing, and the expert reports document in painful detail the deterioration of children's mental health without necessary treatment.

As a community, how should we respond? Do we simply accept DCS's assertion that everything is fine, when that statement is belied by the facts? How long should we wait for Arizona to do right – in meaningful, measurable outcomes – by these kids? These children cannot wait longer. Until reforms are properly implemented, we must keep the pressure on the officials charged with their care. These children need the court's help to make sure the State agencies that take on these awesome responsibilities do what they are supposed to do. This justifies continued legal action because we can't – and we won't – rest until Arizona's kids get the care they deserve.

At the end of the day, we all want what's best for children. As the adults, we all are responsible for their well-being. We need to focus on improving the quality of foster care in the state. This is the best chance we can offer them to eventually find a stable family and lead a fulfilling life. Nothing could be more urgent.

Reprinted from the Arizona Republic, March 25, 2018

Thank you to our Tucson Event Sponsors and Supporters!

On May 23rd, we had a wonderful event at the Hotel Congress.

Thank you for making this our most successful fundraising event in Tucson ever.

Special Thanks to our primary sponsors, Stanley and Norma Feldman

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The Center would like to thank
LEXIS-NEXIS
for its continuing grant of computerized legal research services.

Thank you to all those who made our 2018 Annual Event Our Most Successful Fundraising Event Ever

As many of you know, the Center receives no government funding. To do our work on behalf Arizona's public schools, foster children, the environment, and our democracy, we depend on the generosity of the individuals and firms that support what we do. The Center's annual event is absolutely vital to our success.

And this year's event set a record. We sincerely appreciate your support. So,

- To every person who donated or bought an auction item, and to every person who bought a ticket or convinced a friend or firm to buy a ticket, THANK YOU!
- To every board member who worked so hard to make the event a success, THANK YOU!

And most of all, we want to say a special thank you to our sponsors. We simply could not do what we do without you.

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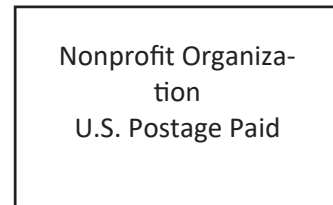
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