

A BETTER CHILDHOOD

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JEREMIAH M. V. CRUM

Plaintiffs: 14 children in foster care, aged 1 through 16, representing the general class of over 3,000 children in foster care in Alaska. The lawsuit includes three subclasses: the Alaska Native Subclass, which represents Alaska Native children who are entitled to protection under the Indian Child Welfare Act of 1978; the Kinship Subclass, which represents children who reside in a kinship foster home and who meet the criteria to receive foster care maintenance payments but whose foster families are not receiving said payments; and the Americans with Disabilities Act subclass, which represents children with physical, cognitive, and psychiatric disabilities.

Read the amended complaint [here](#) (filed July 15, 2022).

ABOUT THE ALASKA FOSTER CARE SYSTEM

Alaska is failing the children in its foster care system, with children being shuffled across many placements, ending up in institutions, non-kinship foster homes far distances from their families, homeless shelters or—in extreme cases—Alaska Office of Children’s Services (“OCS”) offices. OCS also fails to support foster children and families and provide adequate services or the required monetary support to the foster families and children and fails to provide timely case plans and adequate permanency planning. Other problems include:

- High caseloads and rampant turnover amongst caseworkers leaving caseworkers undertrained and overworked with caseloads “more than 3x the national average” that “exceed what is safely manageable” and with a system where “mission critical tasks go unmet.”

- OCS is failing to provide Alaska Native children with placements that are compliant with the Indian Child Welfare Act of 1978, instead placing the children with non-Native families far from their communities.
- Kinship or familial caregivers, who are often the best placements for children, are provided little if any support, including not being assisted by OCS to get licensed and not being paid foster care maintenance payments to which they are entitled under federal law.
- The needs of foster children with disabilities are unmet, with OCS lacking adequate numbers of therapeutic foster homes and failing to assist children in obtaining adequate services to meet their needs.

ALLEGATIONS

Alaska has repeatedly failed to meet federal and constitutional child welfare standards even though it has long been aware of extensive problems within its child welfare system. Children are placed in inappropriate homes and then are not supported or supervised in those homes. Moreover, Alaska Native children are often not placed in Native homes, which leads to devastating loss of a connection to culture and community, kinship foster families are not given the financial support to which they are entitled under the law, and children with disabilities do not receive necessary treatment and are in many instances placed in overly restrictive and inappropriate facilities. These failures add to foster children's already existent trauma of being removed from their family.

ADVOCACY GOALS

Jeremiah M. v. Crum requests that the court permanently prohibit OCS from subjecting the children in the general class and subclasses to practices that significantly harm them emotionally and physically. On behalf of a class of over 3,000 children, we ask that the court enforce these children's constitutional and federal law rights and ensure that they are placed in appropriate homes and adequately supported while in the state's care.

MEET OUR PLAINTIFFS

(All names below are pseudonyms)

LANA H.



JEREMIAH M., HANNAH M., AND HUNTER M.



MARY B. & CONNOR B.



**DAVID V., GEORGE V., KAREN V.,
LAWRENCE V., AND DAMIEN V.**



RACHEL T., ELEANOR T., AND GAYLE T.





A Better Childhood is a national 501(c)(3) nonprofit advocacy organization that uses the courts to reform dysfunctional child welfare systems around the country.

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