

The Honorable Barbara J. Rothstein

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

D.S., *et al.*,

Plaintiffs,

v.

WASHINGTON STATE
DEPARTMENT OF CHILDREN,
YOUTH, AND FAMILIES, *et al.*,

Defendants.

NO. 2:21-cv-00113-BJR

**ORDER
GRANTING JOINT
STIPULATION FOR APPROVAL
OF MODIFICATION TO
SETTLEMENT AGREEMENT**

**ORDER GRANTING JOINT STIPULATION FOR APPROVAL OF
MODIFICATION TO SETTLEMENT AGREEMENT**

Having considered the Parties' Stipulation and good cause appearing, it is hereby
ORDERED that:

The Parties' Agreement and Settlement Order (Dkt. #94-1, as modified by Dkt. #139) is
amended to insert the following after Paragraph 24:

- 24.1 Defendants shall submit an Addendum to the Implementation Plan that includes:
- (1) final exit criteria for each System Improvement, (2) quality assurance benchmarks for each System Improvement, (3) a way of tracking whether Class Members are being served in the least restrictive and most integrated setting, (4) the methodology for measuring and tracking Defendants' progress toward achieving each System Improvement and any intermediary steps, (5) the

methodology for measuring and tracking progress toward achieving each of the exit criteria set forth in Paragraphs 37-45, and (6) the approach for determining capacity needs for each System Improvement.

24.2 The Addendum will be developed in consultation with Plaintiffs and with the assistance of the Monitor over a period of six months, from August 2, 2023 through February 2, 2024. Once finalized on February 2, 2024, it will be added to the final version of the Implementation Plan and posted on Defendants' website.

24.3 Defendants shall provide an opportunity for public feedback prior to finalization of the Addendum.

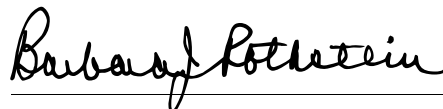
24.4 The Parties agree that Defendants will include agreed upon language regarding the Addendum in the revised version of the Implementation Plan submitted on August 2, 2023.

24.5 The Parties will attempt to resolve any disagreements about the Addendum to the Implementation Plan in good faith. If they cannot do so on their own, they shall seek assistance from the Monitor. If the Parties continue to have disagreements about the Addendum to the Implementation Plan, disputes shall proceed through the dispute resolution process in Section VI of the Settlement Agreement on an expedited basis, with deadlines set by the Monitor.

24.6 To the extent that the language in Paragraphs 24.1 through 24.5 above conflicts with Paragraphs 22 through 24 of the Settlement Agreement, the language in Paragraphs 24.1 through 24.5 supersedes Paragraphs 22 through 24.

IT IS SO ORDERED:

Dated: August 3, 2023.



BARBARA J. ROTHSTEIN
United States District Judge

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Presented by:

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ATTORNEYS FOR PLAINTIFFS

CERTIFICATE OF SERVICE

I hereby certify that on August 3, 2023, I caused to be electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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I certify under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

DATED this 3rd day of August 2023.

ROBERT W. FERGUSON
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