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July 10, 2018

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The Honorable Petrese B. Tucker
United States District Court for the Eastern District of Pennsylvania
U.S. Courthouse
601 Market Street
Philadelphia, PA 19106-1790

VIA ECF

Re: Additional Foster Care Placements and Staff Reductions

Dear Judge Tucker:

We write to advise the Court of two urgent situations that have arisen since the hearing because of the City's ongoing intake freeze.

First, Catholic has learned that the City urgently needed to move two siblings from their current kincare placement to a new placement. A court ordered that the two siblings be kept together, and the City's stated deadline by which the children needed to be moved in their best interest was July 1, but the difficulty in finding a family to take both siblings caused the City to miss this deadline.

Catholic has a certified foster family who is interested in caring for these two siblings. That family has a connection with the children's family, a relationship of the type which the City has considered to qualify as a kincare placement. After the City missed the deadline, the available kincare family learned of the situation. They notified the CUA that had been searching for a home for these children, and the CUA requested—twice—that the Central Referral Unit place the siblings with this family. That placement was denied by a CRU administrator because the available kincare family was certified through Catholic. Because of this denial, the children in question remained in a sub-optimal placement even longer, rather than joining a loving and available kincare foster family.



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Catholic did not learn of this situation—or the denial—until after the fact. Yesterday afternoon, leadership at Catholic contacted the DHS Commissioner seeking to override the CRU Administrator’s refusal in the best interest of these children. Due to Catholic’s direct intervention, DHS leadership permitted the placement. But—as evidenced by the initial denial—it appears that DHS still has not told its staff, or even its CRU administrators, that exceptions to the intake freeze should be made to allow referrals to Catholic when it is in the child’s best interest. While DHS eventually acted the child’s best interest once Catholic became aware of the situation and elevated it, the ongoing freeze delayed yet more children from getting to appropriate homes, and it is impossible to know how many other children are in similar circumstances.

An injunction from this Court resuming regular referrals would prevent this type of situation from arising in the future. Without an injunction, situations like this one will continue to recur, with families and children being left in limbo, only reaching the correct placements when and if Catholic happens to find out and successfully petition DHS management to override DHS’s initial refusal.

Second, Catholic writes to advise the Court of the loss of two employees from Catholic’s foster care program. Due to the City’s intake freeze, Catholic’s foster program could not continue to support these employees. The employees left the program on June 26th and 29th.

Fortunately, in this instance, Catholic could offer these employees a transfer to other programs within the Archdiocese, but a job transfer was not the employees’ first choice, and Catholic does not have the openings to continue this practice for the foster program’s remaining staff. As long as the intake freeze continues, Catholic’s foster program will be forced to lay off additional employees. As discussed in the Amato declaration and at the hearing, the loss of the knowledge and expertise of these employees will be a serious blow to Catholic’s foster care program, one that will likely be impossible to repair.



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Respectfully submitted,

/s/ Mark Rienzi

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/s/ Mark Rienzi

Mark Rienzi