



CHILD CARE LAW CENTER

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FOR IMMEDIATE RELEASE

November 17, 2010

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LANDMARK COURT SETTLEMENT SAVES CHILD CARE FOR THOUSANDS OF WORKING FAMILIES

*Rebuking Gov. Schwarzenegger's veto, Alameda County judge
approves extension of child care through 2010*

OAKLAND, CA –Alameda County Superior Court Judge Wynne Carvill approved a groundbreaking settlement today which preserves child care services for the families of more than 56,000 California children. These services are indispensable to working parents who have successfully transitioned off welfare but whose wages are still too low to cover child care.

The settlement came in a lawsuit filed by Parent Voices Oakland and four California mothers who were told that their child care assistance, known as CalWORKs Stage 3 child care, would end on November 1. In a last-minute veto, Gov. Arnold Schwarzenegger cut that entire program from the budget, creating havoc for thousands of people who were suddenly forced to choose between keeping their jobs and staying off welfare or taking care of their children.

On October 29, Judge Carvill issued an emergency order halting the governor's veto. A few days later, he modified his order to require the state to continue Stage 3 child care and to use its "best efforts" to screen parents for alternative childcare services. Today's settlement extends the Stage 3 program through December 31, 2010 and requires state-contracted child care agencies to inform families of their right to request a screening for any available child care alternatives.

"We are grateful to the judge for recognizing that these working families need reliable child care, and also need to be informed where to find it," said Patti Prunhuber, an attorney at the Public Interest Law Project, the lead counsel for the petitioners. "The settlement takes the court's rulings one step further by ensuring that families will have, at least in the short term, Stage 3 care while they seek viable alternatives."

Through the settlement the California Department of Education agreed to a process that allows any Stage 3 family who asks to be screened before December 10 to be considered for other available child care. “We are happy with this decision – it means parents will be able to stay employed! We need to make sure families know about their rights. We need parent groups, child care agencies, counties – everyone – to work with families to make sure they ask for a screening and get screened in time.” said Corean Todd, a board member for Parent Voices Oakland, the lead petitioner in the case.

“The settlement creates much-needed breathing room during the holidays for the families that Gov. Schwarzenegger cut off last month – but it is a short-term measure, not a permanent fix,” said Melissa Rodgers, the directing attorney of the Child Care Law Center, which represents the petitioners. “There is not enough funded child care to meet the needs of all these families.” Indeed, even the families that request a screening may be put on a waiting list that already has 200,000 children on it statewide.

Under the terms of the settlement, the families cut off from child care by the Governor’s veto retain the right to return to the Stage 3 program if funding is restored. Pressure remains on the Legislature and the new Governor to enact a permanent solution. “We are looking to the Legislature and the Governor-elect to step in quickly,” said Robert Newman, Senior Counsel at the Western Center on Law & Poverty. “Otherwise many of these hard-working families will have nowhere to send their children in the New Year.”

The suit was brought by the Public Interest Law Project, the Child Care Law Center, the Western Center on Law & Poverty, Neighborhood Legal Services of Los Angeles County, Public Counsel Law Center, and Legal Aid Foundation of Los Angeles.

The Public Interest Law Project provides crucial litigation and advocacy support to local legal services and public interest law programs throughout California. (<http://www.pilpca.org>)

The Child Care Law Center is a national nonprofit legal services organization that works to make high quality, affordable child care available to every child, every family, and every community. (<http://www.childcarelaw.org>)

The Western Center on Law & Poverty, Inc. fights for justice and system-wide change to secure housing, healthcare and a strong safety net for low-income Californians. (<http://www.wclp.org>)

Neighborhood Legal Services of Los Angeles County provides free legal services to low-income residents throughout Los Angeles County. (<http://www.nls-la.org>)

Public Counsel Law Center is the nation’s largest public interest law firm specializing in delivering pro bono legal services to low-income communities. (<http://www.publiccounsel.org>)

The Legal Aid Foundation of Los Angeles (LAFLA) is the frontline law firm for low-income people in Los Angeles. (<http://www.lafla.org>)