

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

JOHN AND MARY ROE, ET AL.	:	CASE NO: 1:83-cv-01704
Plaintiffs,	:	JUDGE SPIEGEL
vs.	:	
BARBARA E. RILEY, ET AL.	:	
Defendants.	:	

AGREED ORDER

Defendants having previously filed their Motion to Modify the Consent Decree (Doc. 101) to delete certain monitoring and needs assessment provisions of the Consent Decree (Doc. 45), as amended by Agreed Order entered August 3, 1992 (Doc. 95), and the Plaintiffs having filed their Memorandum in Opposition thereto (Doc. 103); and the parties having agreed to the following provisions to assure compliance with the Consent Decree; and the Court having reviewed the Reports of the Court approved expert dated January 18, 2006 and June 19, 2006, Etta Lappen Davis, and the Court being otherwise sufficiently advised,

IT IS HEREBY ORDERED that the Ohio Department of Job and Family Services will provide on-site monitoring of the county agency under Section II(A) of the Consent Decree no less frequently than one time every twenty-four months.

IT IS FURTHER ORDERED that Defendants shall comply with the provisions of the Child Protection Oversight and Evaluation (CPOE) System as described in Section 5101:2-33-02 of the Ohio Administrative Code and that such compliance shall constitute compliance with the monitoring obligations as set forth in Section I(C) through Section I(I) of the Consent Decree

and those portions of the Agreed Order entered August 3, 1992 (Doc. 95) that relate to monitoring.

IT IS FURTHER ORDERED that compliance with the needs assessments requirements set forth in 45 C.F.R. 1357.15 (d)(3), through the completion of implementation of the Statewide Automated Child Welfare Information System (SACWIS) in all 88 counties and actual completion of a needs assessment from the SACWIS data in a statistically valid sample of the counties shall constitute compliance with Section II of the Consent Decree and with those portions of the Agreed Order entered August 3, 1992 (Doc. 95) that relate to provision of needs assessments.

IT IS FURTHER ORDERED that the parties agree that Etta Lappen Davis shall continue as the Court approved expert for Plaintiffs and shall continue to monitor compliance with the Consent Decree as amended. Such monitoring shall occur according to a schedule and upon such terms for fees and expense reimbursement as agreed upon by Ms. Davis and the parties. In the event the parties cannot agree, then such matters upon which no agreement can be reached shall be submitted to the Court by appropriate motion for resolution.

Upon finalization of the HHS SACWIS Assessment Review Process as described on pages 10 and 11 of the Report of the Court approved expert (June 19, 2006) or demonstration of compliance with the monitoring requirements of this Agreed Entry, the Defendants may move for an order terminating all or part of the Consent Decree and its amendments. Plaintiffs may

file any written objections to such proposed termination.

DATED THIS 26 DAY OF July, 2006.

5- [Signature]
ARTHUR S. SPIEGEL
UNITED STATES SENIOR DISTRICT JUDGE

HAVE SEEN AND AGREED:

s/Michael O'Hara
MICHAEL O'HARA, ESQ.
Counsel for Plaintiffs

s/David J. Espinoza
DAVID J. ESPINOZA, ESQ.
Counsel for Defendant Riley