

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

B.H., et al.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	No. 88 C 5599
	)	Hon. Jorge L. Alonso
B.J. WALKER, Acting Director,	)	Judge Presiding
Illinois Department of Children and	)	
Family Services,	)	
	)	
Defendant.	)	

**PLAINTIFFS’ RESPONSE  
TO THE DEPARTMENT’S FIFTH TRIANNUAL INTERIM STATUS REPORT  
ON THE B.H. IMPLEMENTATION PLAN**

Plaintiffs respectfully provide this Response to the Fifth Triannual Interim Status Report (the “Fifth Status Report”) filed by Defendant B.J. Walker, Acting Director of the Illinois Department of Children & Family Services (“DCFS” or the “Department”)<sup>1</sup>.

1. Under the Court’s Order [Dkt. 507], the Department is to provide the Plaintiffs and the Expert Panel with draft interim status reports every four months. The drafts are to be provided in sufficient time to allow Plaintiffs and the Expert Panel to review and respond to the drafts before the Department’s formal submission of an Interim Status Report to the Court.
2. The expectation is that the parties and Expert Panel will attempt to resolve any disagreements regarding the interim Status Reports and that the parties and the Expert Panel will submit to the Court a single Status Report “with common agreement on the

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<sup>1</sup> On information and belief, the Department plans to file its Fifth Status Report on September 11, 2018.

progress of the Department's implementation plan, the Department's progress in making reforms and the effectiveness of the reform efforts." *See* Dkt. 507 at 4-5.

3. On August 30, the Court granted the Department's request for an extension of time to file its Fifth Status Report from August 29 until September 11. *See* Dkt. 646.
4. The Department did not provide a draft of its Fifth Status Report to the Plaintiffs or the Expert Panel until the evening of Friday, September 7.
5. As a result, the Plaintiffs and the Expert Panel have not had sufficient time to review the Department's draft of the Fifth Status Report or to provide input or comments prior to its filing.
6. Accordingly, Plaintiffs and the Expert Panel do not join or adopt the statements in the Department's Fifth Status Report.
7. Plaintiffs and the Expert Panel reserve the right to provide comments on the Fifth Status Report as soon as practicable.

Dated: September 11, 2018

Respectfully submitted,

By: /s/ Claire E.W. Stewart

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**CERTIFICATE OF SERVICE**

I, Claire E.W. Stewart, one of the attorneys for the Plaintiff class in the above-captioned litigation, hereby certify that on September 11, 2018, I electronically filed the foregoing **Plaintiffs' Response to the Department's Fifth Triannual Interim Status Report on the B.H. Implementation Plan and Notice of Filing** with the Clerk of the Court using the CM/ECF system, which will cause an electronic copy to be served on all counsel of record. In addition, I served copies of the foregoing **Plaintiffs' Response to the Department's Fifth Triannual Interim Status Report on the B.H. Implementation Plan and Notice of Filing** on the following individuals, who are Court-appointed experts in this matter, via email as set forth below:

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/s/ Claire E.W. Stewart \_\_\_\_\_