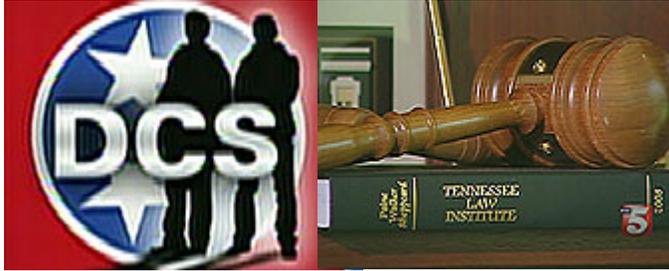


Advocates Ask Judge To Block Limits On Foster Care

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NASHVILLE, Tenn. - An advocacy group wants the courts to block a new Tennessee law that would penalize counties that put a high percentage of children in foster care.

The motion was filed Wednesday in U.S. District Court in Nashville by Children's Rights, a New York based non-profit.

A law that recently went into place states counties will be forced to foot the bill if juvenile court judges place too many children in foster care.

Davidson County Juvenile Court Judge Betty Adams Green said the law should never have been put in place. "I think it's a very very poor way to manage a population problem, and I think it can put children at risk," said Adams. Green said judges could be forced to decide between the welfare of a child or the county's budget.

"I think what we're doing is telling the court that rather than thinking about the law or the best interest of children, we need to be thinking about numbers and dollars," said Green.

Associate Director Ira Lustbader said in a news release the law could endanger children by pressuring judges to leave them in dangerous living situations. He also said the law violates the 2001 settlement of a federal class action suit brought by Children's Rights to reform Tennessee's Department of Children's Services.

"This is a quota system that the legislature's put into effect. It's rationing care for kids," said attorney David Raybin. "You don't cut back on care for children, who are the most vulnerable in the state."

DCS spokesman Rob Johnson said in a statement "this law was carefully crafted, with input from members of the Tennessee General Assembly and child advocates, to encourage the courts to work with the department and the state legislature to ensure the fair and proper use of state resources."

A federal judge was expected to rule on a temporary restraining order in the next few weeks. The order would in essence temporarily vacate the new law. Attorneys said that could be a step towards a permanent removal.

(The Associated Press Contributed To This Story)