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23 UNITED STATES DISTRICT COURT  
24 NORTHERN DISTRICT OF CALIFORNIA  
25 SAN FRANCISCO DIVISION

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26 CALIFORNIA ALLIANCE OF CHILD AND  
27 FAMILY SERVICES,

28 Plaintiff,

v.

JOHN WAGNER, Director of the California  
Department of Social Services, in his official  
capacity; GREGORY ROSE, Deputy Director of  
the Children and Family Services Division of the  
California Department of Social Services, in his  
official capacity,

Defendants.

No.

**DECLARATION OF JIM MARTIN  
IN SUPPORT OF PLAINTIFF  
CALIFORNIA ALLIANCE OF  
CHILD AND FAMILY SERVICES'  
EX PARTE APPLICATION FOR  
TEMPORARY RESTRAINING  
ORDER AND ORDER SHOWING  
CAUSE REGARDING  
PRELIMINARY INJUNCTION**

1 I, Jim Martin, declare as follows:

2 1 I am a resident of the State of California and am over the age of 18. I am  
3 submitting this declaration in support of California Alliance of Child and Family Services'  
4 Temporary Restraining Order Application. Each of the facts stated herein are based on my  
5 personal knowledge unless I state that I know that information based on information and belief.

6 2. I am currently the Executive Director of Martin's Achievement Place. I have  
7 worked for Martin's Achievement Place for twenty-three years and have been its Executive  
8 Director for the past two years. As Executive Director, my duties include oversight of the  
9 facility's budget and finances

10 3 Martin's Achievement Place operates eight residential group homes for teenage  
11 boys. Our facilities currently provide care for approximately forty-eight residents. Our residents  
12 have all been involved in inappropriate sexual behavior or the molestation of other children and,  
13 therefore, require mental health treatment services.

14 4 The majority of our funding comes from the California Department of Social  
15 Services ("DSS"), which makes foster care maintenance payments to Martin's Achievement  
16 Place as is required under the federal Child Welfare Act and California's Welfare and  
17 Institutions Code. DSS's foster care maintenance payments make up approximately sixty-five to  
18 seventy percent of our operating budget.

19 5. The foster care maintenance payments that Martin's Achievement Place receives  
20 from DSS are used to provide the most basic necessities to the foster care children at our  
21 facilities. Among other things, we use the funds to provide food, shelter, daily supervision,  
22 school supplies and many other essential items as required under the federal Child Welfare Act  
23 and California Welfare and Institutions Code.

24 6. In recent years, the cost of providing the basic necessities required under the  
25 federal Child Welfare Act and California Welfare and Institutions Code has increased  
26 significantly. At the same time, the reimbursement rates have remained almost the same. As a  
27 result, the reimbursement rates from DSS no longer cover the costs of providing the required  
28 basic necessities to the foster care children at our facilities. Unfortunately, this has led us to lay-

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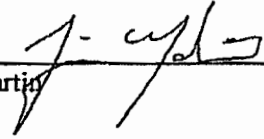
1 off some of our staff In October, we laid off three full time child care workers, a maintenance  
2 person, an administrator and a clerical worker This staff reduction has reduced the amount of  
3 direct supervision that our residents are provided and we have had to rely on the boys' school to  
4 provide supervision during the day

5 7 I am informed and believe that in July 2009 the State of California passed its new  
6 budget for 2009 (the "2009 Budget"). The 2009 Budget includes a ten percent reduction in the  
7 DSS reimbursement rates for foster care maintenance payments.

8 8 The 2009 Budget's ten percent reduction in DSS reimbursement rates will further  
9 increase the gap between, on the one hand, the amount necessary to provide the required basic  
10 necessities under the Child Welfare Act and, on the other hand, the amount Martin's  
11 Achievement Place actually receives from DSS This reduction will significantly affect Martin's  
12 Achievement Place and the foster children under our care Because our program also receives  
13 funding from the Department of Mental Health, we may be able to make up for some of the  
14 anticipated funding short-fall by obtaining additional Department of Mental Health funding to  
15 cover certain categories of expenses However, if we are unable to do so, we may have to make  
16 additional reductions to our programs or institute pay-cuts for our staff.

17 I declare under penalty of perjury under the laws of the United States of America  
18 that the foregoing is true and correct

19 Executed on July 23<sup>rd</sup>, 2009, at Wood Hills, California

20  
21   
22 \_\_\_\_\_  
23 Jim Martin