

Washington State Standard

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POLICE & COURTS

Washington state lawsuit payouts skyrocket to more than \$500M in past year

Claims against the state's Department of Children, Youth and Families are driving a spike in cases.

BY: JAKE GOLDSTEIN-STREET - JUNE 17, 2025 4:01 AM

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📷 (Alan Schein Photograph via Getty Images)

For years, foster parents in Eatonville, Washington, abused five girls, but the girls couldn't hold the state accountable for wrongfully placing them in the home and failing to protect them while they lived there.

That was, until a [landmark ruling in their case](#) in 2018 expanded the state's responsibility beyond the period when officials have custody of foster children.

In the years since, the decision has provided a path for numerous people wronged by the foster care system to seek justice.

It's also part of what's contributed to a sharp rise in the state paying out huge sums of money in response to a deluge of lawsuits alleging a range of misconduct. Washington state taxpayers have covered about half a billion dollars in legal claims in the past year alone.

Beyond foster care, these cases trace everything from wrongful termination and employment discrimination to deaths in prison to negligence investigating child abuse claims. The conduct alleged goes back as far as the 1950s.

Washington's payouts — known as tort liability — have skyrocketed from \$72 million in fiscal year 2018 to more than \$281 million last fiscal year. Washington's fiscal years run from July 1 to June 30. With over two weeks left this fiscal year, Washington had spent nearly \$502 million on tort liability claims as of Friday.

Unlike many other states, Washington has no cap on the damages that can be paid out in these cases.

"FY 2023 was a record. FY 24 is a record," said Scott Barbara, of the state attorney general's office. "FY 25 is going to be bigger than FY 23 and FY 24 combined."

Darrell Cochran, a high-profile personal injury attorney, told lawmakers this month that the data on lawsuits and payouts "represents the human misery index involved."

"There is an obligation, both morally, societally and legally, to atone for the wrong," Cochran said.

“The children in the foster care system, some of the most vulnerable children in our entire state who were in state custody, who were chained essentially to decisions by state agency caseworkers sent off to what we know to have been houses of horrors,” he added.

Legal defense costs have risen in kind, to nearly \$50 million in fiscal year 2024. Over a third of that sum went to outside law firms. This fiscal year, legal costs have increased to more than \$56 million, according to the state Department of Enterprise Services.

The state is self-insured, meaning the legal payouts come from agency coffers that would otherwise go toward state services.

This legislative session, state Senate Republicans proposed [requiring hearings](#) after each payment over \$1 million to force agencies to explain what went wrong. The bill didn’t get a hearing.

The spike has largely been driven by claims against the state Department of Children, Youth and Families, a wide-ranging agency tasked with overseeing everything from child welfare and foster care to juvenile detention.

And a [state Supreme Court ruling last month](#) that expanded the statute of limitations for some claims could potentially open the state up to more liability. Last year, lawmakers also eliminated the statute of limitations for civil claims of childhood sexual abuse that occurs after June 2024, potentially leading to even further litigation going forward.

After the pandemic, the state also saw an uptick in claims from workers challenging the state over the COVID-19 vaccine mandate.

Now, complaints over the state’s youth prison system are spiking. One law firm alone has filed about 800 claims over sex abuse in state-run juvenile

detention centers, going back decades, Barbara told lawmakers.

“I hear, on the radio, advertisements almost every day encouraging people who may have been harmed in juvenile facilities to reach out to whatever legal company is running the ads,” said Sen. Keith Wagoner, R-Sedro-Woolley. “So it seems like it’s sort of become a cottage industry. Not that that isn’t probably a good thing if people have been harmed.”

These cases, sometimes dealing with conduct from decades ago, are particularly difficult for the state to defend, as any records are lost to time. Nearly two-thirds of the claims filed against the Department of Children, Youth and Families in fiscal year 2024 were from incidents before 2000, said Allison Krutsinger, the agency’s public affairs director.

“We are seeing that sort of historic look back, making atonement, reconciling wrongdoing, frankly, on behalf of the state when appropriate,” Krutsinger told the Senate Law and Justice Committee.

Perhaps the one bright spot is a dramatic drop in claims filed by people incarcerated in the state’s prisons as the Department of Corrections has worked to improve conditions.

To help deal with the hefty court penalties, Democrats in the Legislature this year turned to a [creative budgeting maneuver](#) to free up money that would go otherwise toward the state’s legal fees.

And the payouts, both from court settlements and jury verdicts, aren’t expected to end anytime soon. Last June, an actuary estimated the state faced \$2.5 billion in liability from pending claims, straining an already-reeling state budget.

In total, as of Friday, the state has faced more than 3,800 claims since last July.



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