

September 22, 2016

Dear Ms. Kasuske and Board of Appeal,

As the wife of Phillip N. Boreen for the past 25 years, named beneficiary of his pension, personal representative of his estate, and mother of our four (4) children, I am appealing the negative determination denying our minor children's eligibility of death benefits from the LEOFF 1 pension fund following their father's recent death.

This appeal is made on the grounds that:

- (1) The determination of "eligibility" as cited in the letter of determination is clearly an act of discrimination of adopted children vs. natural born children. It is nothing short of an abomination, and morally and ethically unjust. Besides being discriminatory it is most likely in conflict with and violation of State of Washington and federal law.
- (2) Further, and at the very least, the language referred to in the DRS determination is in direct conflict with Revised Washington Code **Title 11 – Probate and Trust Law Chapter 11.02-005 (3), (6) and (8)**, and; **Title 26 – Domestic Relations. Chapter 26.33.260. Decree of Adoption – Effect – Accelerated appeal – Limited grounds to challenge – intent.**

I would like to specify that my research of the entire RCW was limited. I believe that other language exists in addition to Title 11 and Title 26 citations, that would clearly show that the policy Ms. Kasuske specifies in the letter of determination as it applies to "eligibility" is illegal, discriminatory and unjust. I reserve the right in this appeal to pursue further violation with legal representation.

It is hard for me to believe that the State of Washington, or anyone, intended for this part of my husband's pension benefit to be denied to his minor children because they were not born "naturally" to us. I very much want to believe that somehow this is all a terrible mistake that can be rectified in an expedient manner. Not just for my husband and our minor children, but for others, so that no one else will have to be subjected to the further emotional pain that this situation is causing. This language must be corrected so that this situation does not occur. My next question is as follows; does this policy/code as it exists today open the doors of further discrimination in the State of Washington?

To lose your husband and father, and then to discover that an entire group of people, even an entire State considers you of a lower order, and not "really" your father and mother's children by nature of birth is more painful than you can imagine.

Sincerely,

Katharine S. Boreen

Wife of Lt. Phillip N. Boreen, deceased

Mother of _____, _____, _____, and _____

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