

THE ADVOCATE

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GOOD NEWS!

Judge's Decision May End 16 Year Battle For Many Ohio Consumers!

Judge Robert Sargus issued his opinion and order adopting the Special Master's report and recommendations in the 16 year old Martin litigation on Nov. 28, 2005.

The substance of the seven page report is that Judge Sargus agreed with the Klein Objectors and others, that individuals with mental retardation and other developmental disabilities who are not, nor will not be in "need of community housing and services", are **NOT** members of the Martin Class and **CANNOT** be bound by any decision in this case and that, the Olmsted decision stated that, "*individuals have the right to decline community-based treatment*". As many of you know, OLRS had repeatedly told consumers and guardians of individuals choosing ICFsMR and DCs, that they were members of the Martin class and could not opt out.

This order, by Judge Sargus effectively puts an end to this case as a tactic to eliminate congregate care setting in Ohio.

This is a major victory for OLMR, our members and the thousands of men and women who choose to live in DCs and private ICFsMR in Ohio. OLMR members spent tens of thousands of dollars defending our position on this case, and each of you should be proud of your personal efforts that led to this conclusion.

The Judge's decision does not mean that OLRS and the Department will not attempt other means to further downsize DCs and private ICFs-but it does establish some Ohio case law consistent with the Olmsted decision. We will continue to need your financial support, your personal commitment to speak out in favor of your loved one's rights, and your prayers.

MEMBER NOTICE:

Please send your email addresses to:

linklady@cyberzane.net so that you may receive regular updates from OLMR . This is our most effective and the most cost effective method of communicating with you.

Look for the January, 2006 Issue of the Advocate Soon!

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