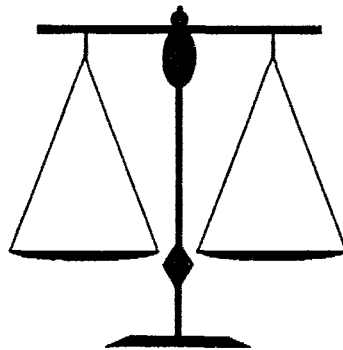




PEOPLE FIRST OF TENNESSEE, INC.
on behalf of its members,

v.

THE ARLINGTON & CLOVER BOTTOM
DEVELOPMENTAL CENTERS



"We believe institutions are harmful and limit life choices. Institutions stop people from exercising their rights and leading a normal life. People with disabilities should have a choice to live wherever and with whomever they want. Any person regardless of disability should have the same opportunity to receive support and services as anyone else. All services and supports should be in the community. Therefore, we believe all institutions should be closed and the people set free." --

Official position on institutions, adopted by the People First of Tennessee, Inc. Board of Directors on June 23, 1994.

PEOPLE FIRST OF TENNESSEE, INC. LAWSUIT FACT SHEET

Lawsuit name: People First of Tennessee, Inc. v. Arlington Developmental Center

Attorneys: Judith Gran, Public Interest Law Center of Philadelphia
Jack Derryberry, Ward, Derryberry & Thompson, Nashville
Woody Connette, Lesesne & Connette, North Carolina
Earl Schwartz, Waring & Cox, Memphis

Date filed: December 12, 1991

Type of lawsuit: Class Action Lawsuit (seven people who live there are named representatives for all of the people who live there).

Court: U.S. District Court for the Western District of Tennessee,
Western Division, Memphis TN

Judge: Honorable James McCalla

Claims: First Amendment violations
Social Security Act violations
Americans with Disabilities Act violations
Section 504, Rehabilitation Act violations
Due Process Clause of the Constitution violations
Equal Protection, Fourteenth Amendment violations

Other details: People who are named have "next friends" who will help people who live there decide what they want.

Parent Guardian Association intervened on the side of the state.

Another lawsuit filed by the Justice Department resulted in a order. Dr. Linda O'Neill is the court appointed special monitor. Our suit had more claims and wants more community relief for the people there, including their First Amendment rights.

Status: On September 27, 1995 Judge McCalla certified the class to include anyone who had lived or lives at Arlington or is at risk of living at Arlington since since December 12, 1989 and named People First of Tennessee as the class representative. He granted intervenor status to People First in the Justice Department case and entered remedial order as a final order in our case. He schedule a hearing on our First Amendment claims for the summer of 1996. Finally, he has not ruled on our motion for further relief. Over 60 people have died at the facility since we began following problems at Arlington.

**PEOPLE FIRST OF TENNESSEE, INC.
FOCUS ON INSTITUTIONS
ACCOMPLISHMENTS
1995-1996**

During the year we have been very actively involved in many activities designed to focus attention on the needs and rights of Tennesseans who live in Developmental Centers and other Institutions. These activities include:

Supporting the membership of persons who live in institutions in self-advocacy chapters and activities

- On-going support to People First of Greene Valley
- On-going support to People First of Arlington
- Presentations to staff at Clover Bottom to increase their resident's involvement in People First of Nashville
- Securing additional funding to support the annual conference attendance of members who live in the Centers

Visiting & supporting people who live in the Developmental Centers

- Over 30 visits were made to visit individuals at Clover Bottom, Nat T Winston & Arlington Developmental Centers

Increasing our knowledge about the goals and challenges faced by these facilities

- Meetings with each Superintendent by regional board members to discuss the U. S. Dept. of Justice Letters of Findings
- Invited presentations by the Superintendents of Arlington and Clover Bottom at our annual regional membership meetings

Meeting and talking with concerned family members and guardians

and finally,

Winning class action litigation against Arlington Developmental Center and being named official class representative for individuals who live(d) there since 1989.