



WILLIAMS v. QUINN FACT SHEET

Unnecessary institutionalization is against the law

In *Olmstead v. L.C.* (1999), the Supreme Court held that unnecessary institutionalization of people with disabilities is discrimination under the Americans with Disabilities Act. People with disabilities are entitled to receive services in the most integrated setting appropriate to their needs.

Background on the lawsuit

Williams v. Quinn is a lawsuit filed in 2005 by two people with mental illness residing in large private State-funded facilities called Institutions for Mental Diseases (“IMDs”). The Judge certified the case as a class action, so the case could move forward on behalf of the approximately 4,300 IMD residents across Illinois. The parties reached an agreement called a Consent Decree. The Judge then held a Fairness Hearing for people to share their thoughts about the agreement. On September 30th, the Judge gave final approval of the Consent Decree. This historic agreement reflects a momentous change in state policy for serving people with mental illness.

What will the Consent Decree achieve?

- Interested IMD residents will be informed of community-based options, receive individualized, independent evaluations, and be given the opportunity to live in the community (including permanent supportive housing) with appropriate services.
- IMD residents who are happy with their current living situation will not be forced to move into the community and will have the right to refuse an evaluation.
- Over a five year period, all IMD residents who desire placement in the community shall transition to the most integrated community-based setting appropriate for their individual needs.
- The State will provide appropriate community-based services and housing for people transitioning out of the IMDs, consistent with residents’ personal vision, preferences, strengths and needs.
- The Judge will appoint an Independent Monitor with mental health expertise to oversee implementation and compliance with the Consent Decree.
- An Implementation Plan will be developed by the State, the plaintiffs and the Independent Monitor to accomplish the obligations and objectives set forth in the Consent Decree.
- The agreement will result in relieving some of the State’s financial burden currently created by housing individuals in IMDs, which are supported by 100% State funding. The State will now be eligible to receive federal Medicaid reimbursements for medications and health care when an individual is receiving those services in a community-based setting.

Questions?

If you have questions about the case or the approved Consent Decree, please contact lead counsel Benjamin Wolf at 312-201-9740 x301 or bwolf@aclu-il.org.