

REC'D & FILED

Nancy Desjardin

MAY 10 2000

Clerk of Courts
Kennebec County

SUPERIOR COURT
CIVIL ACTION
DOCKET NO. 89-88

STATE OF MAINE
KENNEBEC, SS.

PAUL BATES, et al.,

Plaintiffs

v.

LYNN DUBY, et al.,

Defendants

ORDER

The Defendants filed a motion to amend Paragraphs 256 and 281 of the Settlement Agreement.

There being no objection to this Motion by Plaintiffs' counsel or Gerald Rodman, the Court Master, and finding that the proposed amendments are consistent with the purposes of the Consent Decree and Settlement Agreement,

IT IS HEREBY ORDERED that Paragraph 256 be amended to read:

Caseworkers shall visit all class member public wards at least twice monthly. Visits may be reduced to once a month in accordance with a protocol approved by the Plaintiffs' counsel and Court Master.

IT IS FURTHER ORDERED that paragraph 281 be replaced by the following:

281. Defendants Commissioner and Department of Human Services shall be responsible for assuring that each class member public ward is provided all the benefits of this Agreement. On an annual basis, they shall prepare and issue a report on each class member public ward to the Court Master and counsel for the Plaintiffs. Defendant Department of Human Services shall provide a monthly listing of class member public wards and their addresses to Plaintiffs' counsel. Defendant Department of Human Services shall also provide ongoing notification to Plaintiffs' counsel of the following significant incidents: termination of guardianship; death of the ward in circumstances which raise the question of abuse or neglect; instances of substantiated abuse, neglect or serious injury to the ward; arrest, indictment or criminal conviction of the ward; and circumstances in which the ward is missing, requiring diligent search efforts.

Dated:

5/9/00


Nancy Mills, Superior Court Justice