

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

James and Lorie Jensen, as parents, guardians,
and next friends of Bradley J. Jensen; James
Brinker and Darren Allen, as parents,
guardians, and next friends of Thomas M.
Allbrink; Elizabeth Jacobs, as parent, guardian,
and next friend of Jason R. Jacobs; and others
similarly situated,

Civil No. 09-1775 (DWF/BRT)

Plaintiffs,

v.

ORDER

Minnesota Department of Human Services,
an agency of the State of Minnesota; Director,
Minnesota Extended Treatment Options, a
program of the Minnesota Department of
Human Services, an agency of the State of
Minnesota; Clinical Director, the Minnesota
Extended Treatment Options, a program of
the Minnesota Department of Human Services,
an agency of the State of Minnesota; Douglas
Bratvold, individually and as Director of the
Minnesota Extended Treatment Options, a
program of the Minnesota Department of Human
Services, an agency of the State of Minnesota;
Scott TenNapel, individually and as Clinical
Director of the Minnesota Extended Treatment
Options, a program of the Minnesota Department
of Human Services, an agency of the State of
Minnesota; and the State of Minnesota,

Defendants.

Shamus P. O'Meara, Esq., and Mark R. Azman, Esq., O'Meara Leer Wagner & Kohl,
PA, counsel for Plaintiffs.

Scott H. Ikeda, Aaron Winter, Anthony R. Noss, and Michael N. Leonard, Assistant Attorneys General, Minnesota Attorney General's Office, counsel for State Defendants.

On July 12, 2018, the Court held a Biannual Status Conference in this matter to receive updates on the status of the *Jensen* Settlement Agreement, the Comprehensive Plan of Action, and the *Olmstead* Plan. (Doc. No. 692.)¹ The parties and the Consultants had the opportunity to discuss several reports that had been submitted to the Court as well as the March 2018 Revision to the *Olmstead* Plan. In addition, the parties presented their views on the appropriate legal standard the Court should use to determine the circumstances under which it will end its involvement in this matter.

According to the established reporting schedules, (*see* Doc. Nos. 544, 545), the Court anticipates receiving an *Olmstead* Subcabinet Quarterly Report on *Olmstead* Plan Measurable Goals and a *Jensen* Settlement Agreement Comprehensive Plan of Action Semi-Annual Compliance Report by August 31, 2018. The Court concludes that receipt of these forthcoming submissions will aid the Court in evaluating next steps.

ORDER

Based upon the presentations and submissions before the Court, and the Court being otherwise duly advised in the premises, **IT IS HEREBY ORDERED** that:

1. The Department of Human Services shall submit the following reports according to the schedules identified in the Court's Order for Reporting on *Olmstead* Plan and Order for Reporting on Settlement Agreement (Doc. Nos. 544, 545):

¹ The Court's agenda for the status conference is available at Docket Number 691.

a. *Olmstead* Subcabinet Quarterly Report on *Olmstead* Plan Measurable Goals covering the period of May 1, 2018 to July 31, 2018 (due August 31, 2018).

b. *Jensen* Settlement Agreement Comprehensive Plan of Action Semi-Annual Compliance Report covering the period of January 1, 2018 to June 30, 2018 (due August 31, 2018).

2. Following the Court's receipt of the reports identified above, the Court will issue an order establishing next steps. This order will also establish how the Court intends to address the applicable legal standard to determine the circumstances under which it will end its involvement in this matter.

Date: July 19, 2018

s/Donovan W. Frank
DONOVAN W. FRANK
United States District Judge