

MHMR suit won't end till problems are solved U.S. district judge says

AUSTIN (AP) — The presiding judge in the 15-year-old lawsuit over the state mental health system suggested Thursday the case might never end if the Legislature doesn't appropriate money to solve ongoing problems.

In an order issued by U.S. District Judge Barefoot Sanders of Dallas, the state was given a schedule for making numerous improvements over the next two years.

Calling those deadlines "feasible targets," Sanders said compliance would end litigation begun in 1974 against the Texas Department of Mental Health and Mental Retardation.

The judge cited progress in many areas. "However," he wrote, "it appears from the history of this case that defendants have never

been provided sufficient funds for complete compliance. Unless provided adequate funds by the Legislature, defendants will never achieve compliance, and this lawsuit will never end."

The order in the so-called R.A.J. case noted that MHMR officials sought \$105 million from the Legislature in the 1990-91 budget to comply with court orders but got only \$60 million.

MHMR officials asked Gov. Bill Clements to add mental health funds to the agenda of the June-July special session, but Sanders noted that it wasn't included.

Clements' press secretary, Rossanna Salazar, said the governor's staff would review the

order and had no immediate comment on whether MHMR funds would be included in the special session convening Nov. 14.

"I have thought that the issue of adequate funding has been a tremendously big problem throughout the years," court-appointed mediator David Pharis said.

Pharis described Wednesday's order as a very strong document that demands compliance by certain dates (and) tells people very clearly what it is going to take.

"Issues need to be dealt with," he said. "There's the clinical needs of patients, both in the state hospitals and the community. These people need proper care. They haven't received all of the care they need, and it's time to provide it."

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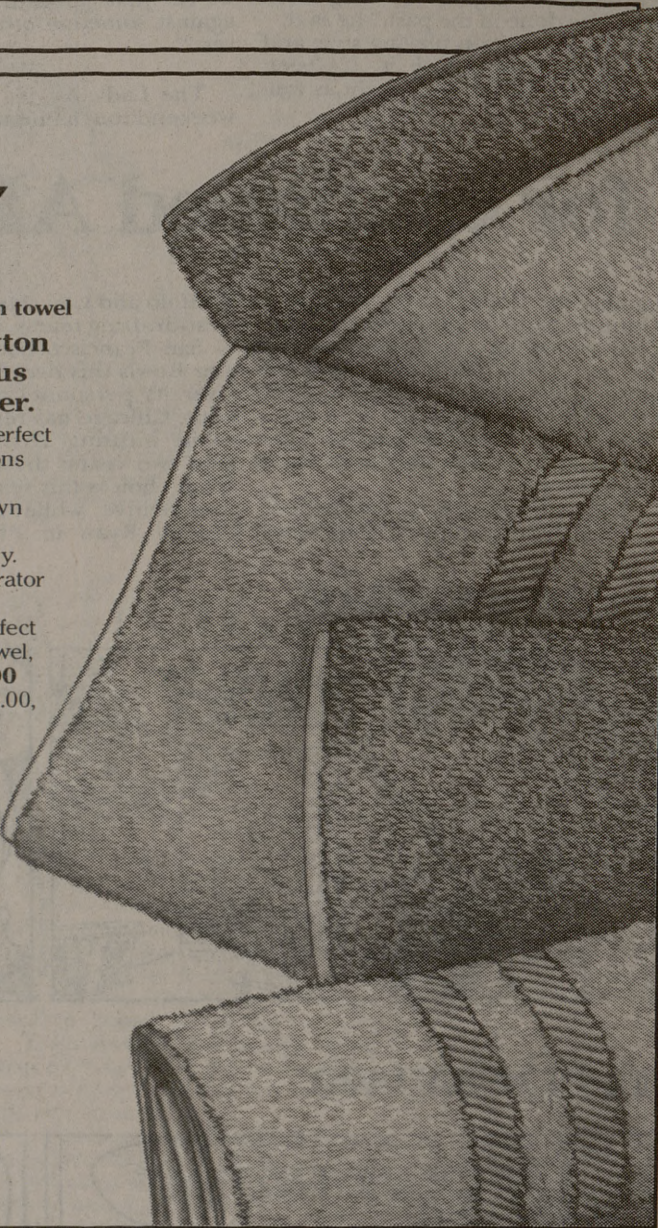
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