

FIRM NEWS

Schulte Files Suit Advocating for Children with Mental Health Disabilities

August 14, 2018

A Schulte pro bono litigation team is serving as co-counsel with Disability Rights DC, the Bazelon Center for Mental Health Law and the National Center for Youth Law in a class action against the District of Columbia. The District faces the suit for unnecessarily institutionalizing hundreds of children or placing them at serious risk of institutionalization by failing to provide them essential intensive community-based services as required by federal law.

The complaint alleges violations of both the Medicaid Act and the Americans with Disabilities Act (ADA), which requires the District to serve its children with disabilities in the most integrated setting appropriate. For virtually all children, this setting is their own home or another family or foster home. The Medicaid Act requires the District to provide intensive community-based services to all children with mental health disabilities who need them, to help them live in their own homes and communities and participate fully in family and community life. The complaint seeks a federal court order for the District to end its policies and practices that violate the ADA and the Medicaid Act, and lawyers for the children and for Disability Rights DC have asked the District to develop a plan for how it will develop intensive community-based services and provide them to children.

The Schulte team is led by litigation partner Howard Schiffman and includes litigation associate Jason Mitchell.

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