

FURTHER ORDERED, that the receiver shall have the following duties and responsibilities:

1. To develop within the District of Columbia an integrated and comprehensive community-based mental health system. The resulting system shall provide all class members with timely and accessible care and shall serve class members in the least restrictive setting commensurate with their individual needs.

2. To oversee, supervise, and direct all financial, contractual, legal, administrative, and personnel functions of the CMHS, and to restructure the CMHS into an organization that is oriented toward advancing the objectives described in the preceding paragraph.

3. To maximize federal revenues for the implementation and operation of a community-based mental health system, and to work with federal authorities and local service providers to ensure that federal funds are dispersed in an efficient manner.

4. To preserve, protect, manage, buy, sell, and administer all property and assets of the CMHS.

5. To develop and improve management systems, performance standards, and quality improvement measures within the CMHS, and to improve relations between the CMHS and its employees, clients, and contractors.

6. To established working relationships with the District of Columbia government, the District of Columbia Financial Responsibility and Management Assistance Authority (hereinafter, "Control Board"), the Chief Financial Officer of the District of Columbia, the United States Congress, and federal agencies as

necessary to achieve the purposes of this Order.

7. To establish a work plan for submission to the Court not later than six months after the date of this Order. The work plan shall include: (1) a review of current conditions within the CMHS as they relate to the fulfillment of this Order; and (2) a statement of specific objectives and tasks that the receiver will undertake to fulfill this Order, and the time frame within which they will be accomplished.

8. To report to the Court every six months thereafter on: (1) major actions taken within the preceding six months; (2) progress made toward achieving the objectives set forth in the initial report; and (3) any modifications or additions to the objectives and tasks that the receiver has undertaken in fulfillment of this Order.

9. To develop a plan for the post-receivership governance and administration of the CMHS, which shall include consideration of the structure, funding, and governmental responsibility for the long-term operation of the District of Columbia's mental health system; and it is

FURTHER ORDERED, that the receiver shall have all powers necessary to fulfill this Order, including, but not limited to:

1. All powers over the CMHS currently exercised by the Commissioner of Mental Health Services, the Director of Human Services, and the Mayor of the District of Columbia.

2. The power to establish personnel policies; to create, abolish or transfer positions; to hire, terminate, promote, transfer, evaluate, and set compensation for staff.

3. The power to negotiate new contracts and to renegotiate existing contracts, including contracts with labor unions.

4. The power to restructure and reorganize the management and administrative divisions of the CMHS.

5. The power to acquire, dispose of, modernize, repair, and lease property.

6. The power to establish the budget of the CMHS and to work with the Control Board, the Chief Financial Officer, the City Council, and Congress in negotiating and securing approval for said budget.

7. The power to petition the Court for such additional powers as are necessary to obtain compliance with this Court's Order; and it is

FURTHER ORDERED, that the receiver shall make reasonable efforts to exercise his or her authority in a manner consistent with: (1) the laws and regulations of the District of Columbia; and (2) the authority and directives of the Control Board and the Chief Financial Officer. However, where those laws, regulations, and entities clearly prevent the receiver from carrying out the duties and responsibilities set forth in this Order, the receiver may petition the Court to waive any requirements imposed thereby; and it is

FURTHER ORDERED, that the Dixon Implementation Monitoring Committee ("DIMC") shall continue its work of monitoring the development of a community-based mental health system. The DIMC shall confer with the receiver and the parties as appropriate, and

shall continue to provide status reports to the receiver, the Court, and the parties in accordance with its past practices; and it is

FURTHER ORDERED, that the receiver shall consult on a regular and ongoing basis with class members and other consumers, mental health service providers, and other stakeholders in the District of Columbia's mental health system. The receiver is encouraged, in this regard, to promote consumer involvement in the planning, evaluation, and delivery of Dixon-related services; and it is

FURTHER ORDERED, that the receiver shall have access to all relevant District of Columbia personnel, records, and facilities. Nothing in this Order shall be construed to limit the work of the receiver to the CMHS or the Department of Human Services; and it is

FURTHER ORDERED, that the Defendants shall pay the receiver a reasonable fee for his or her services. Within thirty (30) days of his or her appointment, the receiver shall submit to the Court a statement of proposed fees and expenses for the implementation of this Order. The parties will then have seven (7) days in which to comment on this submission. In the absence of a showing that the proposed fees and expenses are unreasonable, this Court shall order Defendants to pay the proposed fees and expenses. The receiver's proposed fees and expenses may include the retention of staff members and consultants; and it is

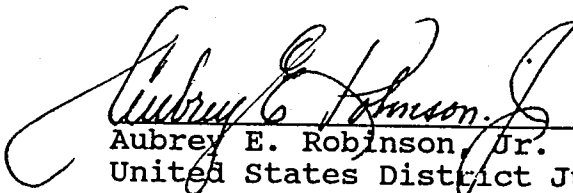
FURTHER ORDERED, that the Defendants shall be responsible for all costs incurred in the implementation of the policies,

plans, and decisions of the receiver relating to the fulfillment of this Order; and it is

FURTHER ORDERED, that the receiver shall be indemnified in the same manner and to the same extent as other agency heads within the District of Columbia government; and it is

FURTHER ORDERED, that upon appointment of the receiver, the Special Master shall submit a final report and accounting, and upon the Court's acceptance of the final report and accounting, the Court will discharge Dr. Danna Mauch as Special Master; and it is

FURTHER ORDERED, that this Order shall remain in effect until such time as the SDP and the orders of this Court have been fully implemented, and the receivership is no longer necessary to assure the ongoing operation of the District of Columbia's mental health system in accordance with all legal requirements


Aubrey E. Robinson, Jr.
United States District Judge

Copies to:

Peter J. Nickles, Esq.
Matthew S. Yeo, Esq.
Covington & Burling
1201 Pennsylvania Avenue, N.W.
Washington, D.C. 20002

Richard F. Gondelman, Esq.
Office of the Corporation Counsel
St. Elizabeths Hospital
2700 Martin Luther King Jr. Avenue, S.E.
Building M, Room 105
Washington, D.C. 20032

Dr. Danna Mauch, Dixon Special Master
Magellan Public Solutions
222 Berkeley Street
Boston, MA 02116

Richard Warsh
Office Director
Office of the Special Master
1130 17th St., N.W.
Suite 400
Washington, D.C. 20036