

RECEIVED
DISTRICT CLERK

BILL LANN LEE
STEVEN H. ROSENBAUM
ROBINSUE FROHBOESE
VERLIN H. DEERINWATER
Attorneys
U.S. Department of Justice
Civil Rights Division
P.O. Box 66400
Washington, D.C. 20035-6400
(202) 514-6260

MARGERY S. BRONSTER
Attorney General
State of Hawaii
HEIDI M. RIAN
ANN V. ANDREAS
ELIZABETH A. SCHALLER
Deputy Attorneys General
Department of the
Attorney General
Kekuanao'a Building
Room 200
465 S. King Street
Honolulu, HI 96813
(808) 587-3050

STEVEN S. ALM
United States Attorney
District of Hawaii
MICHAEL CHUN
Assistant U.S. Attorney
P.O. Box 50183
Room 6100 PJKK Federal Building
300 Ala Moana Blvd.
Honolulu, HI 96850
(808) 541-2850

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

NOV 19 1998

at 3 o'clock and — min. P M
WALTER A. Y. H. CHINN, CLERK

Attorneys for the United States
of America

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF HAWAII

UNITED STATES OF AMERICA,) Civ. No. 91-00137 DAE
)
Plaintiff,)
) MOTION TO ENTER
v.) STIPULATION AND ORDER REGARDING
) CHILDREN AND ADOLESCENT
STATE OF HAWAII, et al.,) RESIDENTIAL SERVICES
)
Defendants.)
)
)

JOINT MOTION TO ENTER STIPULATION AND ORDER REGARDING
CHILDREN AND ADOLESCENT RESIDENTIAL SERVICES

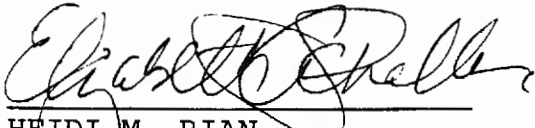
The parties to this action, the United States of America,
Plaintiff, and the State of Hawaii, et al., Defendants, hereby
jointly move this Court to enter the attached Stipulation and
Order Regarding Children and Adolescent Residential Services.
The Stipulation and Order revises the definition of the 1991

Settlement Agreement concerning the Children and Adolescent Residential Programs.

Respectfully submitted,

FOR THE STATE OF HAWAII:

FOR THE UNITED STATES:



HEIDI M. RIAN
ANN V. ANDREAS
ELIZABETH A. SCHALLER
Deputy Attorneys General
Department of the Attorney
General
Kekuanao'a Building
Room 200
465 S. King Street
Honolulu, HI 96813
(808) 587-3053



ROBINSUE FROHBOESE
VERLIN HUGHES DEERINWATER
Attorneys
Special Litigation Section
Civil Rights Division
P. O. Box 6400
Washington, D.C. 20035-6400
(202) 514-6260

United States of America v. State of Hawaii, et al., Civ. No. 91-00137 DAE; Motion to Enter of Stipulation and Order Regarding Children and Adolescent Residential Services)

BILL LANN LEE
 STEVEN H. ROSENBAUM
 ROBINSUE FROHBOESE
 VERLIN H. DEERINWATER
 Attorneys
 U.S. Department of Justice
 Civil Rights Division
 P.O. Box 66400
 Washington, D.C. 20035-6400
 (202) 514-6260

STEVEN S. ALM
 United States Attorney
 District of Hawaii
 MICHAEL CHUN
 Assistant U.S. Attorney
 P.O. Box 50183
 Room 6100, PJKK Federal
 Building
 300 Ala Moana Blvd.
 Honolulu, HI 96850
 (808) 541-2850

Attorneys for the United
 States of America

MARGERY S. BRONSTER
 Attorney General
 State of Hawaii
 HEIDI M. RIAN
 ANN V. ANDREAS
 ELIZABETH A. SCHALLER
 Deputy Attorneys General
 Department of the Attorney
 General
 Kekuanao'a Building
 Room 200
 465 S. King Street
 Honolulu, HI 96813
 (808) 587-3050

UNITED STATES DISTRICT COURT FOR THE
 DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)	Civ. No. 91-00137 DAE
)	
Plaintiff,)	
)	
v.)	STIPULATION AND ORDER
)	REGARDING CHILDREN AND
STATE OF HAWAII, et al.,)	ADOLESCENT RESIDENTIAL
)	SERVICES
Defendants.)	
)	
)	

STIPULATION AND ORDER REGARDING
 CHILDREN AND ADOLESCENT RESIDENTIAL SERVICES

The parties to this action, the United States of America,
 Plaintiff, and the State of Hawaii, et al., Defendants, hereby
 stipulate and agree as follows:

Whereas, in 1991, when the parties entered into the Settlement
 Agreement in this action, the Child and Adolescent Mental Health

Division ("CAMHD") of the Department of Health provided only nonacute residential mental health services to children and adolescents at the Hawaii State Hospital and Leahi Hospital;

Whereas, the definition of the "Children and Adolescent Residential Services," or "CARS," in the 1991 Settlement Agreement accordingly is limited to "non-acute residential placements for children and adolescents operated by Child and Adolescent Mental Health Division of the Department of Health;"

Whereas, CAMHD now contracts with private facilities for acute, crisis, and certain residential services for children and adolescents, and some children and adolescents are provided with more than one of these levels of care during a single stay at those facilities, as was observed during the Department of Justice's July 1998 tour of the CARS programs; and

Whereas the United States of America and the State of Hawaii as parties to the 1991 Settlement Agreement and subsequent Court Orders concerning the CARS programs, desire to amend the definition of "CARS": Children and Adolescent Residential Services found at page 4 of the 1991 Settlement Agreement, to reflect these facts;

Therefore because some children and adolescents are now provided with more than one level of care at these facilities, the United States of America and the State of Hawaii hereby agree to amend the definition of "CARS" on page 4 of the 1991 Settlement Agreement to read as follows:

"CARS" (Children and Adolescent Residential Services): nonacute residential placements for children and adolescents

provided on behalf of the Child and Adolescent Mental Health Division of the Department of Health of the State of Hawaii, as well as residential placements in which children and adolescents receiving such nonacute services also receive acute or crisis services on other units of the facility during a stay at a CARS facility.

SO ORDERED:

Dated: Honolulu, Hawaii

NOV 10 1991

DAVID A. EZRA

DAVID A. EZRA
United States District Judge

AGREED TO:

FOR THE STATE OF HAWAII:

Lawrence Miike

Dr. LAWRENCE MIIKE
Director
Department of Health

Elizabeth A. Schaller

HEIDI M. RIAN
ANN V. ANDREAS
ELIZABETH A. SCHALLER
Deputy Attorneys General
Department of the Attorney
General
Kekuanao'a Building
Room 200
465 S. King Street
Honolulu, HI 96813
(808) 587-3053

FOR THE UNITED STATES:

BILL LANN LEE
Acting Assistant Attorney General

Robinsue Frohboese

ROBINSUE FROHBOESE
VERLIN HUGHES DEERINWATER
Attorneys
Special Litigation Section
Civil Rights Division
P. O. Box 6400
Washington, D.C. 20035-6400
(202) 514-6260

United States of America v. State of Hawaii, et al., Civ. No. 91-00137 DAE; Stipulation and Order Regarding Children and Adolescent Residential Services)