

#### LEAKE CONSENT DECREE

On March 4, 1985, a lawsuit was filed in the United States District Court for the Western District of Missouri against the Department of Mental Health on behalf of Alan Leake and other persons with developmental disabilities who had sought services and had been denied.

The lawsuit was settled by way of an agreement between the parties which was endorsed by the federal judge. This official agreement is called a Consent Decree, and is binding on the Department of Mental Health. If and when the Department ever wants to amend any of the required individual protections in the Consent Decree, a formal request has to be sent to the counsel for the plaintiffs. If that counsel does not agree with the proposed change, a court hearing is required.

The individual protections enumerated in the Leake Consent Decree have been laid out in State Regulation and Division policy and procedure, and are referenced thus throughout this manual.