

11/10/88
17/100

COMMONWEALTH OF MASSACHUSETTS

Bristol ss

Probate and Family Court
In Equity 86E 0018 G1

B.R.I. et al

vs

Mary K. Leonard

In re: Motion to amend Settlement Agreement

The Court has carefully considered the Motion of the Department of Mental Retardation regarding the amendment of the Settlement Agreement approved by this Court on January 7, 1987 as well as the Opposition of the students and the response of Behavior Research Institute.

The Court will accept the motion filed by the Department as an intervention in this action under the M.R.C.P., Rule 24 (b) (2) and welcomes it as a party under the settlement agreement.

This Court has reviewed the Opposition filed by the students and notes that the Court, in all guardianship proceedings to date, has allowed the hiring of an expert witness by the wards when appropriately requested. Further, the D.M.R. experts have been available to the Court and continue to be available under this amendment. This Court consistently has stood ready to make responsible decisions as to when the assistance of the D.M.R. experts is necessary and is open to the reception of motions requesting evaluation when an attorney for a proposed ward feels that circumstances warrant it. The Court reiterates that the D.M.R. experts are not partisan witnesses, that their evaluations are for the Court and under the amendment shall be available when requested by the Court.

This Court allows the motion of the Department of Mental Retardation.

Taunton:

December 29, 1988

Ernest A. Steuby

Judge of Probate and Family Court

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A true copy
Attest:
Robert E. Peck
Register