



Jl-DE-001-004

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

JOHN A. and MARY B., et al.,)
)
Plaintiffs,)
)
v.)
)
MICHAEL N. CASTLE, et al.,)
)
Defendants.)

C.A. No. 90-200 (RRM)

FILED
MAR 7 9 51 PM '94
U.S. DISTRICT COURT
DISTRICT OF DELAWARE

HEARING ORDER

The parties to this class action litigation having made a joint application for approval of a settlement as set forth in a Settlement Agreement which has been filed of record; and

The Court having given preliminary consideration to the Settlement Agreement,

IT IS HEREBY ORDERED as follows:

1. The proposed settlement as provided for in the Settlement Agreement is hereby preliminarily approved for the purpose of directing that notice thereof be sent to the Class in the manner specified below.

2. A hearing shall be held on _____, 1994, at _____ .m. in Courtroom _____, United States Courthouse, before The Honorable Roderick R. McKelvie, United States District Judge, for the purpose of determining whether the proposed settlement is fair, reasonable and adequate as a basis for compromising the claims of the Class.

3. Notice of the proposed settlement shall be given to the Class in accordance with the terms and procedures set out in the class notice, prepared and presented by counsel, which is annexed hereto. That notice satisfies the requirements of Rule 23 of the Federal Rules of Civil Procedure and constitutes the best practicable notice to the class.

4. The hearing may be adjourned from time to time without notice other than by announcement at the hearing or any adjournment thereof without further notice.

DATED

United States District Judge

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

JOHN A. AND MARY B., et al.,

Plaintiffs,

v.

C.A.No. 90-200 RRM

MICHAEL N. CASTLE, et al.,

Defendants.

IMPORTANT NOTICE TO ALL YOUTH AT FERRIS SCHOOL AND NEW CASTLE
COUNTY DETENTION CENTER:

On March 25, 1994, a proposed settlement of this lawsuit was filed with the federal court. The proposed settlement agreement applies to all youth at Ferris School and all youth at the New Castle County Detention Center. If you are living at Ferris School or New Castle County Detention Center, you are part of the group that is affected by this lawsuit. This group will be called "the plaintiffs" in the rest of this notice. The Youth Rehabilitative Services, which is a State agency responsible for operating Ferris School and New Castle County Detention Center, will be called "YRS" in the rest of this notice.

The purpose of this notice is to summarize what the proposed settlement agreement says, and to explain to plaintiffs how they can find out more about it and how they can make any objection they may have to it. The proposed settlement agreement will not be put into effect until the plaintiffs have a chance to read it

and to make any objections they may have to it.

SUMMARY OF THE SETTLEMENT AGREEMENT

A full copy of the proposed settlement agreement will be posted in each dormitory and any other living unit at Ferris School and New Castle County Detention Center, and in the library or recreation rooms at Ferris School and the Detention Center. In the settlement, YRS promises to do certain things, including the following:

1. YRS agrees to follow policies and procedures that are spelled out in the part of the settlement agreement titled "Grievances, Discipline, Control and Room Confinement."
2. YRS agrees to provide plaintiffs with certain kinds of programming, and agrees to give plaintiffs opportunities for recreation, exercise, education, health care, dental care, mental health care, and to do certain other things to care for plaintiffs, which are spelled out in the parts of the agreement titled "Programming," "Staffing," "Mental Health," "Education," "Life Safety," "Medical Care," "Dental Care," and "Sanitation and Hygiene."
3. The settlement sets up a system to make sure that YRS does everything they have agreed to. This system is spelled out in the part of the agreement titled "Monitoring."
4. The settlement will be in effect for three years. The judge in the case may extend the agreement beyond three years, if YRS does not do what it has agreed to and plaintiffs demonstrate good cause to the court.

5. The court can order YRS to pay plaintiffs' lawyers for the work they did on this lawsuit.

IF YOU HAVE QUESTIONS ABOUT THE SETTLEMENT

Complete copies of the settlement agreement will be posted for you to read, at Ferris School and New Castle County Detention Center. If you have questions about what the agreement means, you may speak in person with Max Bell, your representative in this lawsuit. Max Bell will visit Ferris School and New Castle County Detention Center at least a week before the court hearing on the settlement. He will meet with any plaintiffs who want to speak with him about the settlement. You will be able to meet with him at that time and ask him questions about the settlement.

HOW TO FILE OBJECTIONS

Any plaintiff may file objections to the proposed settlement. You can file objections by putting them in writing and giving them to Max Bell, when he makes his visits to Ferris School and New Castle County Detention Center. You will be notified in advance of the time and date of his visit. Max Bell will collect the written objections and give them to the lawyers and the judge in this case. If for any reason you do not want YRS to know about all or any part of your objections, you must say this clearly in your written objections, and your identity will not be revealed to YRS.

The judge in this lawsuit will review all the objections that the

plaintiffs have submitted to Max Bell. The judge will then decide whether the proposed settlement should be put into effect.

Dated: , 1994

United States District Judge