

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

Stanley Ligas, et al.,	)	
	)	
Plaintiffs,	)	
	)	Case No. 05 C 4331
v.	)	
	)	Judge Sharon Johnson Coleman
Felicia Norwood, et al.,	)	
	)	
Defendants.	)	

**AGREED ORDER TO MAINTAIN COMPLIANCE WITH CONSENT DECREE**

This case is before the Court on the parties’ Joint Motion to Approve Agreed Order. The parties have advised the Court that the State of Illinois has not yet passed a budget appropriation for the State Fiscal Year beginning on July 1, 2016 (the “FY 2017 budget”). In the absence of a FY 2017 budget appropriation, Defendants will continue to provide all resources, programs, services and personnel required by the Consent Decree (Dkt. #549), including without limitation any Implementation Plans issued pursuant to Section XIII of the Consent Decree approved by this Court on June 15, 2011 (Dkt. #549). It is the position of the Illinois State Comptroller that, without an appropriation, the Comptroller does not have the authority to continue to approve payments for services, programs and personnel that are necessary to maintain compliance with the Consent Decree unless specifically ordered to do so by the Court.

In order to maintain compliance with the Consent Decree, IT IS HEREBY ORDERED THAT:

1. “Beneficiaries” of the Consent Decree and covered by this Order include Class Members (as defined in the Consent Decree), Individuals with Developmental Disabilities (as defined in the Consent Decree) who have chosen to reside in Intermediate Care Facilities for the

Developmentally Disabled (“ICF-DDs”), Individuals with Developmental Disabilities receiving Community-Based Services (as defined in the Consent Decree), and Individuals with Developmental Disabilities receiving services in Community-Based Settings (as defined in the Consent Decree) throughout the State of Illinois.

2. The Comptroller shall continue to timely approve and make payments for all services, programs and personnel, at a level and within the time period that such payments were made in Fiscal Year 2016, that are necessary to comply with the Consent Decree and Implementation Plans. The Court’s previous Orders of June 30, 2015 (Dkt. #597), August 18, 2015 (Dkt. #610) and September 1, 2015 (Dkt. #624) are incorporated herein and shall continue in effect. This Order shall remain in effect until the earlier of the effective date of the Fiscal Year 2017 budget or July 1, 2017, or until further order of this Court.

3. On or before July 1, 2016, Defendants shall publish this Order by (i) posting it on the DHS website, and (ii) transmitting a copy of the Order to all personnel and to all contractors and providers of services under the Consent Decree via email where available and by such other additional means as the Defendants employ for communications to the foregoing persons and entities in their usual course of business.

4. The Illinois Department of Healthcare and Family Services, the Department of Human Services, and the Illinois State Comptroller shall provide such information to the Court Monitor on a monthly basis to enable her to evaluate and to advise the Court and the Parties regarding the State’s compliance with the Consent Decree and the Orders entered by this Court.

5. If at any time the State believes that it may not be able to comply with any provision of the Consent Decree or this Order, the State must immediately bring the State’s potential non-compliance to the attention of the Court, the Monitor, the Plaintiffs, and the Intervenors before such non-compliance occurs.

6. The State shall maintain its expedited payments consistent with the terms and conditions that existed during FY 2015.

Dated: June 28, 2016

SO ORDERED

BY:   
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Sharon Johnson Coleman