

NEW JERSEY CHAPTER AMERICAN ASSOCIATION ON MENTAL RETARDATION

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State Sued by NJP&A

On September 29, 2005, the New Jersey Protection and Advocacy, Inc. (NJP&A) filed a lawsuit in federal district court against James Davy, Commissioner of the Department of Human Services for the State of New Jersey. The lawsuit seeks the release of hundreds of New Jersey residents from unnecessary confinement in state institutions for the developmentally disabled.

By the State's own estimates, nearly half of all individuals in the State's developmental centers remain confined needlessly because the State of New Jersey has failed to develop suitable community residences and programs to support their return to the community.

According to Emmett Dwyer, Director of Litigation for NJP&A, "The State has failed to live up to its obligations under the Americans with Disabilities Act (ADA) to identify and provide the option of living in the community to individuals who could live in the community with appropriate supports and services. Instead the State continues to confine large numbers of individuals in locked and highly restricted facilities without any plan for their discharge into the community. Individuals have lost years of their lives to unnecessary confinement; those years can never be regained."

Sarah Mitchell, NJP&A's Executive Director/President, notes that, "The State has long been on notice to address its unnecessary confinement of large numbers of individuals with developmental disabilities and to develop community residences, programs and supports that would allow them the choice of living in less restrictive community settings. Its failure in that regard violates both the letter and the spirit of the law we know as the Americans with Disabilities Act. The U.S. Supreme Court in the *Olmstead v. L.C.* case, 527 U.S. 581 (1999), discusses such unnecessary segregation as illegal discrimination based on disability. Those individuals the State

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NOTICE

- ◆ Next meeting of the New Jersey Chapter of AAMR will be at 3:00 pm, Friday, January 20, 2006, held at the Community Access Unlimited Board Room, 80 West Grand Street, Elizabeth, NJ.

Go to www.caunj.org for directions

- ◆ The National AMR Conference will be May 2—5, 2006 in Montreal, Canada in conjunction with its International Summit on Social Inclusion.

An Open Letter from the President of AAMR

Alliance for Full Participation

Two weeks ago, 11 disability organizations, including AAMR, completed an historical summit—the Alliance for Full participation conference in Washington DC. The meeting was notable for a legion of reasons not the least of which was that a substantial number of the attendees were either self advocates or family members. It was a time to reconnect with old friends, to share ideas, and to recommit ourselves to the shared mission of improving the lives of people with developmental disabilities. Under the banner of “Many Voices, One Vision”, these 11 organizations representing people with disabilities, family members, policy makers and administrators, advocates, professionals, researchers, and people who provide support to people with developmental disabilities put away their organizational differences and came together to affirm a set of common aspirations for the future.

Among the affirmations (the full text of which can be found on the AAMR website), was a commitment to cease the placement of children in institutions, to develop plans for the closure of remaining large public institutions, to favor real jobs and real volunteer opportunities over sheltered workshops, to provide the support needed by all families with sons and daughters with lifelong disabilities; to include people with disabilities wherever decisions are being made about their destinies; to eliminate the term mental retardation in favor of a less hurtful term, to support individual control over budgets and supports, to pay direct support professionals a decent wage, to reform Medicaid to promote inclusion, and to nurture inclusive communities.

Implementation of this vision will continue to be the task of the newly constituted alliance as well as the state teams that also came together in Washington and that will carry the message of the Summit back to their communities.

AAMR Annual Meeting

We also had an annual meeting of AAMR in the day before the Summit that included a description of some of the exciting new action teams that are being proposed (i.e. exploring the implications of the Medicare Drug benefit for people with intellectual and other developmental disabilities, and creating a coalition to enrich and expand opportunities for self-determination) and the emerging plans for newly constituted divisions (i.e., nursing, and religion and spirituality). During lunch we heard from three young members (two young faculty members and one student) – Anna Esbensen, Julia Scherba de Valenzuela and Amy Drahota – about what they value in a professional organization. The Conference and the Assembly met and we concluded a full day with the Presidential Address by David Coulter and the AAMR awards ceremony.

Priorities

The Board also had a short meeting before the Summit and discussed strategic priorities for the organization in the next year. Four goals were set:

- ♦ To align the mission of the organization and the work of the members with the organization's identity and its name;
- ♦ To empower the grass roots of AAMR by continuing to urge communities of interest to form action teams and to stimulate the development of action plans for professional and geographic interests
- ♦ To continue to identify, attract and support new leadership in AAMR and in our field;
- ♦ To develop training initiatives with the support of professional and geographic interests (e.g., surrounding health issues, environmental issues, etc.).

Please feel free to comment on these goals and let me know if you are interested in supporting any of these initiatives.

Organizational Identify

As noted in my summary of the affirmations growing out of the Summit, there was a strong consensus among the 2400 attendees that the term “mental retardation” has to go. I know that in time another term may also be stigmatizing. I know that our name is well known in research and academic circles. I know that some

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will argue that "mental retardation" is a term of art in statutes. I also know that there will be concerns that a name change may jeopardize our work on terminology and classification. However, I believe that all of these issues can be addressed and resolved and our core mission preserved. **In the end, if we want to continue to be among the leaders in our field, then we must show self advocates and families that they have been heard."**

The AAMR Board voted to change its name about 6 years ago. Since then, however, we have been unable to arrive at a consensus about what name to embrace. I would like to begin a structured process that will result in what I hope is a resolution to this pending question. The following is the process that I hope we can pursue:

1. I would like to invite suggestions from the membership regarding what the organization should be called. Please visit the AAMR website and register your nominations or send them to me at vbradley@hsri.org.
2. In December, at the Mid Winter Leadership Meeting IN Washington DC, we will review the suggestions and arrive at a manageable list.
3. The list will be reviewed to ensure that the names are consistent with the research, scientific and philosophical mission of the organization;
4. A short discussion paper will be prepared listing the pros and cons of each new name including the importance of maintaining our commitment to our core constituency;

The list will be put before the membership for a vote.

I am hoping that this entire process will be completed by the end of my term on July 1, 2005 and that we will arrive at a generally agreeable resolution to an issue that has complicated our organizational deliberations and that has become an increasing barrier to communication with those for whom we do what we do.

Thank you for your continued support and commitment to this organization that has become an integral part of many of our professional careers. After this extraordinary Summit, I am very optimistic that we can take the next steps that will bring AAMR closer to its mission and that will align us with the affirmations that we all made in Washington DC last month.

Valerie J. Bradley
President
American Association on Mental Retardation

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has kept waiting in institutions long past their need for such restrictive settings should have to wait no longer."

In their lawsuit, NJP&A charges that the State not only ignores the mandates of *Olmstead* and the ADA, but also violates other federal laws that protect the rights of individuals with developmental disabilities, including Section 504 of the Rehabilitation Act, and the Medicaid Act. NJP&A seeks a court order requiring the State to develop and implement a community integration plan with reasonable timelines for moving individuals into the community with appropriate supports and services.

About NJP&A:

NJP&A is part of a nationwide network of federally funded protection and advocacy systems for persons with disabilities. Its mission is to advocate and advance human, civil, and legal rights of persons with disabilities. It works cooperatively with the AAMR.

AAMR Membership Application

Send this application and your payment information to AAMR, 444 N Capitol St, NW, #846, Washington, DC 20001-1512 or by fax to (202) 387-2193

Please print/type Mr. Ms. Dr. Rev. Sr.

Name _____ Nickname _____

Office Home Street Address _____

City _____ State _____ Zip+4 _____

Phone _____ Fax _____

E-mail _____

Country _____

Title _____ Employer _____ Highest Degree _____

AAMR 2005 MEMBERSHIP CATEGORIES & DUES (SELECT ONE)

Active Membership-Full professional membership in AAMR. Includes annual subscriptions to *Mental Retardation*, *The American Journal of Mental Retardation* and FYI (AAMR's electronic newsletter).
Annual Active Member Dues \$135

International e-membership-On-line subscriptions only. Available only to those who reside outside of the US and Canada.
Annual International e-membership \$110

Sustaining Membership-Denotes individual committed to making a special financial contribution to AAMR. Includes a donation made to support and sustain AAMR programs and services.
Annual Sustaining Member Dues \$225

Full Time Student Membership-Reduced-price membership for full time students preparing for a disability related career. Requires confirmation of student standing from faculty advisor. Active member benefits, except can vote and hold office in college Chapters ONLY. **Annual Student Member Dues \$49**

I hereby verify that the person making this application is a full-time student (graduate or undergraduate) preparing for a career related to mental retardation.
College/University _____ Graduation Date _____ Signature, Faculty Advisor _____ Date _____

Associate Membership-Special membership for young professionals and others making less than \$25,000. Includes general benefits of Active Membership, and select your choice of either *Mental Retardation*, OR *The American Journal on Mental Retardation* OR *Frontline Initiatives* (quarterly newsletter of the National Alliance for Direct Support Professionals). **Annual Associate Member Dues \$60**

I certify that my adjusted gross income was \$25,000 or less last year.
Signature _____

Supporting Membership-For individuals not regularly employed in the field. For parents, siblings, friends and people with disabilities. Includes member discounts for conferences and publications plus *Electronic FYI*.
Annual Supporting Membership dues \$49

**Join the Conference of Professional Interests each division and special interest group is only \$10 each.
By joining these professional groups you can tailor your membership to benefit your needs.**

Administration	Communication Disorders	Community Services	Creative Arts Therapies
Direct Support Professionals	Down Syndrome	Education	Families
General	Genetics	Gerontology	Health Issues
Legal Processes & Advocacy	Leisure & Recreation	Medicine	Mental Health Services
Multicultural Concerns	Nursing	Nutrition & Dietetics	OT & PT
Psychology	Religion & Spirituality	Sexual/Social Concerns	Social Work
Technology	Vocational Rehabilitation		

AAMR 2005 Membership Dues (from one category above) \$ _____
 1. Conference _____ \$10 each \$ _____
 2. Conference _____ \$10 each \$ _____
 3. Conference _____ \$10 each \$ _____
 4. Conference _____ \$10 each \$ _____

Total Dues Enclosed, Payable to AAMR \$ _____

Credit Card Information: Visa MasterCard Check enclosed payable to AAMR

Account Number _____ Expiration Date _____

Name on Account _____ Signature _____



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Log on to **www.aamr.org**
and click on
“I want to join!”