



MAR 17 1980

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE

HELEN B. O'BANNON
SECRETARY

March 14, 1980

TELEPHONE NUMBER
(717)-787-2600/3600

The Honorable Raymond J. Broderick
U.S. District Court
Eastern District
U.S. Courthouse
601 Market Street
Philadelphia, Pennsylvania 19106

RE: Halderman v. Pennhurst
No. 74-1345

Dear Judge Broderick:

As you know, the Commonwealth defendants have initiated discussions seeking to negotiate an agreed schedule and format for full implementation of this Court's Order of March 17, 1978. Dr. Jennifer Howse and our attorneys met with the other parties throughout last week in that effort. Dr. Howse presented the Department's proposal which, based upon her experience, she considered a responsible blueprint for delivering quality community services on a realistic schedule.

It was my hope that such an agreement could be reached, thereby eliminating the need for Supreme Court review. Unfortunately, those efforts have proved unsuccessful to date. Accordingly, with the Governor's approval, I will file a Petition for a Writ of Certiorari before the March 12 deadline.

The filing of a Petition does not alter my goal of substituting agreement for further litigation. Nor will it alter our commitment and effort to promote the full development of the community service system, consistent with this Court's orders. To this end Dr. Howse, for the Department, will be presenting during the first part of April for the Court's consideration a proposed implementation order on the course to be followed. I hope that this proposed order will have the full support of plaintiffs and county defendants; we will continue negotiations to that end. Absent agreement, however, I am imploring the Court to hear our proposal and to give it the prompt and full attention which I believe it deserves.

Sincerely,

Helen B. O'Bannon