

HAMMOND
TOWNSEND ALLALA, PLLC
ATTORNEYS AND COUNSELOR AT LAW

NEWS RELEASE

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REGARDING:
Guardian ad Litem and Master in Chancery
Hearings Tuesday, June 20 – Thursday,
June 22, 2006

For Immediate Release

Hearings to be held to investigate care of the Disabled and Elderly

El Paso – The El Paso Probate Court will hear testimony from residents of motels, lodging homes, and foster homes in El Paso, Texas, as well as mental health experts, public officials, family members, and concerned citizens on **Tuesday, June 20th, Wednesday, June 21st, and Thursday, June 22nd 2006 at 8:30 a.m. each day in the Probate Court, Seventh Floor of the El Paso County Probate Court.** El Paso Attorney Terry W. Hammond will present evidence from recent cases in which mentally challenged and elderly adults have been either placed in boarding houses, unlicensed foster homes, motels, or minimally licensed facilities in which the qualifications of providers, and personal and financial harm to residents will be questioned. Additionally, the role of federal, state, and local agencies and MHMR in regulating these locations will be examined.

Mr. Hammond was appointed by Judge Higgs as Guardian ad Litem and Master in Chancery for twenty-seven (27) indigent clients with diagnoses of schizophrenia, bipolar disorder, major depression, and dementia whose Social Security funds have been used by designated payees to fund placement in these facilities. As Master in Chancery, Mr. Hammond has the power and authority:

1. To require the production of evidence upon all matters related to the operation of unlicensed or minimally-licensed homes or facilities operating in El Paso County, Texas, including the production of books, papers, vouchers, documents and other writings applicable thereto;
2. To investigate unlicensed or minimally-licensed homes and/or facilities operating in El Paso County, Texas, and rendering care to the mentally and physically disabled in El Paso County, Texas.
3. To investigate the possibility of quo warranto proceedings against individuals and facilities not providing adequate care for the elderly, mentally ill, and physically disabled.

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Mr. Hammond will inquire into 1) the fees charged to mentally challenged and elderly residents; 2) the quality of care provided in return for those funds; and 3) the person or entity responsible making such placements. The Social Security Administration found the owners of the two establishments were overcharging clients. The clients are expected to testify that they lack basic needs such as food, clothing and medical care; some resorting to digging for food in dumpsters and self-medicating themselves.

Most, if not all, of the clients have been patients of El Paso MHMR and the El Paso Psychiatric Center. Still under investigation is how these individuals ended up in dangerous conditions, and why the State of Texas does not comprehensively regulate providers of housing to the mentally ill and elderly. It is also expected that evidence be presented that homeless and transient people are being subjected to indentured servitude. An effort will be made to adduce in testimony from community leaders where and why gaps exist.

Pursuant to his authority as Master in Chancery, Mr. Hammond has issued subpoenas to numerous witnesses to give testimony on these issues before the Probate Court. A record of the testimony and findings will be made and will be distributed by the Court to public officials at the federal, state and local levels.

Mr. Hammond will conduct a pre-hearing press conference to discuss the hearings on **Friday, June 16, 2006 at 1:00 p.m. at the office of Hammond Townsend Allala, 1020 Montana Avenue, El Paso, TX.**