

## **I. INTRODUCTION**

Disability Rights California<sup>1</sup> provides state-wide clients' rights advocacy services for regional center consumers pursuant to a multi-year contract, HD069010, with the Department of Developmental Services (DDS) through the Office of Clients' Rights Advocacy (OCRA). The contract was renewed effective July 1, 2006, for a 5-year period. This is the Annual Report required under the contract, pursuant to Exhibit E, Paragraph 14.

OCRA takes great pride in its accomplishments. The statistics and work product for the past year, which are discussed throughout this report, give ample evidence of continuing effective advocacy. During the past year, OCRA resolved over 8,883 issues for consumers and participated in 418 trainings presented to approximately 18,749 people.<sup>2</sup>

OCRA currently operates 22 offices throughout the State of California, most of which are staffed by one CRA and one Assistant CRA. A list of the current staff and office locations is attached as Exhibit A.

Disability Rights California greatly appreciates the support and efforts of DDS and the regional centers in OCRA's performance of this contract. Without support from those agencies serving people with developmental disabilities, OCRA's efforts to ensure the rights of people with developmental disabilities throughout the State of California would not be so successful.

## **II. PERFORMANCE OBJECTIVES**

Disability Rights California's contract with DDS requires performance outcomes, as established in Exhibit E, Page 6, Paragraph 3, of the contract. Each of the specific required outcomes is discussed in the

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<sup>1</sup> Formerly known as Protection and Advocacy, Inc.

<sup>2</sup> Fiscal Year 2008-2009, OCRA resolved over 8,499 issues for consumers and presented at 332 trainings attended by approximately 18,634 people.

following Sections A through F. The contract does not set specific numbers for performance for the outcomes. OCRA is willing to establish specific numbers in consultation with DDS, if it so desires.

**A. Services are provided in a manner that maximizes staff and operational resources.**

OCRA continues its tradition of serving a large number of people with developmental disabilities. OCRA handled 8,883 issues for regional center consumers during the fiscal year. The breath of issues in these cases is staggering and reflects the need for staff to know the current law that affects people with developmental disabilities in an extremely large number of areas. The statistics, attached as Exhibit B, are discussed below and show the wide variety of issues and the large number of cases handled by OCRA staff.

**1) Advocacy Reports.**

Each advocate provides on a quarterly basis a summary of at least one case that has unique situations from which others can learn and that can be used as examples of the advocacy that OCRA accomplishes. The summaries for Spring, 2009, and Summer, 2009, are compiled and attached as Exhibit C. OCRA is extremely pleased that such outstanding examples of advocacy are available to show the value of the work that OCRA accomplishes. A few examples of the advocacy:

**OCRA Corrects Wrongful Denial of IHSS for Toddler.**

R.S. is a 42-month-old boy with autism. R.S.'s mother contacted In-Home Support Services (IHSS) for an initial application. The IHSS social worker came to the home and stayed about 10 minutes. The worker told R.S.'s mother that R.S. was too young and would not qualify for services until he was 7-years-old. R.S.'s mother received the Notice of Action (NOA) denying eligibility for IHSS and immediately contacted OCRA.

OCRA represented R.S. at a hearing where the IHSS representative agreed to a re-assessment and OCRA secured retroactive services to July, 2008. OCRA attended the reassessment with R.S.'s mother and the IHSS representative. R.S. was granted 195 hours of services

as a non-severely impaired person for protective supervision and his retroactive hours

**SSI Benefits Are Reinstated and Overpayment Cleared.**

M.D. receives SSI because he has autism. The SSA sent M.D. a notice stating he would no longer receive SSI and assessing a large overpayment. OCRA determined that the SSA was counting child support payments that were awarded to M.D. but which he never received because his father is incarcerated. SSA was also using incorrect figures for the ineligible child deduction. Lastly, M.D. was also being subjected to the One-Third Reduction Provision, which is incorrect since he is a minor not receiving the value of food or shelter.

OCRA represented M.D. and filed for reconsideration, providing proof that M.D. does not receive any child support, provided the correct figures for each ineligible child, and provided the legal support for finding that M.D. does not receive free food or rent. After representing M.D. at the informal conference, SSA granted the reconsideration and reinstated M.D.'s SSI. His overpayment has also been cleared.

**OCRA Works with Housing Authority to Correct Unsafe Conditions.**

A.C. lives independently in an apartment. She is a Section 8 tenant. Her heater was faulty and presented a safety hazard because it would turn on independently and increase in temperature until turned off. Additionally, the window above the heater formed condensation which leaked directly into the plug that provided electricity for the heater.

OCRA contacted the Housing Authority and informed the inspector of the safety problems. Within two days, the inspector visited the apartment and ordered the property owner to fix the heater, clean, and paint the window within 20 days. A new heater was installed, repairs were made to the window, and a cover was placed over the wall plug which remedied the safety hazard of the water leakage.

### **ALJ Rules from the Bench in SSI Eligibility Hearing.**

W.B. is a 46-year-old man who recently became a regional center consumer. W.B. had been denied SSI prior to establishing his eligibility for regional center services. OCRA examined W.B.'s SSI records. His claim did not include any information about his cognitive deficits. The regional center psychologist agreed to do a thorough battery of assessments and to testify at the hearing.

At hearing, OCRA presented documentation regarding W.B.'s cognitive and functional deficits. The psychologist's testimony was persuasive. Additionally, OCRA showed that although the job record appeared to indicate that W.B. had worked in competitive employment, all of his jobs were either with family members or scaled back with considerable support.

Both the state's psychiatrist and vocational expert agreed that W.B. could not be employed as a result of his disability. Because drug and alcohol use were a presenting factor, the ALJ asked that W.B. agree to a date of onset after successfully completing rehab. W.B. agreed and the ALJ said that he would issue a fully-favorable decision.

### **Eviction Notice Withdrawn Following OCRA Intervention.**

K.O.'s rights were being denied because she was not allowed reasonable access to the telephone. OCRA investigated the complaint. After OCRA completed the investigation, the care home where K.O. lived issued an eviction notice. OCRA intervened on K.O.'s behalf and alleged that this was retaliatory eviction and unlawful. The care home agreed to withdraw the eviction notice.

### **Consumer Benefits from Assistive Technology.**

B.R. is non-verbal and in high school. His mother purchased a communication device for B.R.'s use at home and had requested that the assistive technology be added to her son's IEP. The school district refused to include his communication device as a related service in his IEP on the basis that the school would be found liable should anything happen to it.

OCRA wrote a letter to the district on the client's behalf, requesting that the communication device be written into the IEP and that staff and B.R. receive training on its proper use. The district drafted an addendum IEP including the assistive technology as a related service and agreed to provide training to both B.R. and school staff.

## **2) Analysis of Consumers Served.**

OCRA handled a total of 8,883 cases from July 1, 2008, through June 30, 2009. This represents a significant provision of advocacy service. Included as Exhibit B is the complete compilation of data for the fiscal year. The data has been compiled by:

1. Age
2. County
3. Disability
4. Ethnicity
5. Gender
6. Living Arrangement
7. Type of Problem (Problem Codes)
8. Service Level

The majority of the OCRA statistics remain consistent with OCRA's statistics for previous years. For example, the largest number of consumers served by age, 2,436 during this time period, has consistently been the 4-to-17 years-old age group. The next largest is the 23-40 age group with 1,161 people served. The ratio of males to females served also remains consistent. For those cases where gender is recorded, OCRA has traditionally served more males than females, with 63 percent of the consumers served being male and 37 percent being female. This roughly corresponds to the percentage of regional center consumers who are male versus female. As of January, 2008, 61.30 percent of all regional center consumers were male and 38.70 percent female.

The percentage of consumers residing in the parental or other family home remains by far the largest number of consumers served with 6,467 consumers in the family home or 73 percent of the cases handled. The next largest group served is those living independently, with OCRA serving 1,052 people or 12 percent with this living arrangement.

OCRA's statistics on the ethnicity of consumers served for the year show OCRA's continuing commitment to serve underserved communities. The percentage of consumers from various ethnicities served by OCRA was:

Ethnicity	Percent OCRA Clients 7/1/08 - 6/30/09	Percent RC Clients 1/ 2008
Afro-American	10	10
Latino	33	32
American-Indian or Alaskan Indian	1	0.4
Asian	4	6
Pacific Islander	2	3
White	44	42
Multicultural (Self-Identify)	4	Not listed
Refused to State/Other	3	7

OCRA's statistics show that OCRA's service to various ethnic groups is close to parity with the number of consumers of each ethnicity served by the regional centers.<sup>3</sup> OCRA's statistics remain fairly consistent with last year's.

The vast majority of cases handled by OCRA assist consumers in accessing services or benefits from generic agencies. This year, OCRA handled 6,132 cases involving generic services.<sup>4</sup> In addition to assistance with access to generic services, OCRA handled 2,751 regional center matters.

### **3) Outreach/Trainings.**

OCRA recognizes that outreach and training are an essential part of providing effective advocacy for regional center consumers and also recognizes that trainings are one of the best ways to maximize staff and operational resources. Therefore, OCRA offers training on a wide variety of issues to a large variety of participants, including consumers, parents, regional center staff, vendors, and other

<sup>3</sup> The latest statistics posted on DDS' website are dated January 7, 2008.

<sup>4</sup> Last fiscal year, OCRA handled 5,188 cases involving generic services.

interested people. Topics covered include, but are not limited to, consumers' rights, abuse and neglect issues, special education, voting rights, SSI, and conservatorships, among other topics.

During the last year, OCRA presented at 418 trainings with a total attendance of approximately 18,749 people at the various trainings. This is an outstanding performance by OCRA staff.

OCRA understands the need to provide assistance to individuals from traditionally underserved communities. To further the goal of meeting this need, OCRA has each office target at least three outreaches per year to a specific group of persons who are underrepresented in the office's catchment area. To help with this, OCRA has appointed Anastasia Bacigalupo as the Statewide Outreach Coordinator. The coordinator advises staff in implementation of their target outreach plans. Based upon an evaluation of the original outreach plans' results, and using new census data and updated figures from DDS regarding the ethnicity of consumers served by each regional center, the OCRA offices update their target outreach plans on a bi-annual basis. A detailed report on target outreach and training is included as Exhibit D.

**B. Issues and complaints are resolved expeditiously and at the lowest level of appropriate intervention.**

From July 1, 2008, through June 30, 2009, OCRA resolved 8,883 issues for consumers. Of those served, all but 133 were resolved informally. This means that 99 percent of all the matters that OCRA handled were resolved informally. Data showing this is attached as Exhibit E.

**C. Collaborative and harmonious working relationships are fostered.**

OCRA staff makes every attempt to foster collaborative and harmonious working relationships with the consumers and parents who OCRA serve, regional center staff, stakeholders, and members of the general community. This philosophy is not only incorporated into Disability Rights California's contract with DDS, but is also a recognition that some of the most effective advocacy takes place because of interpersonal relationships and informal advocacy. The

success of this philosophy is demonstrated by the number of calls we receive, by OCRA's many successes, and by its recognition as an excellent resource for people with developmental disabilities.

### **1) Memorandums of Understanding.**

OCRA has established Memorandums of Understanding (MOUs) with each regional center that addresses that center's individual needs, concerns, and method of operation. MOUs are updated as needed. As part of the implementation of the current contract, the director of OCRA met by telephone or in person with each of the regional center executive directors or designees, except for one, to revise the existing MOUs. Copies of all MOUs have been forwarded to DDS. The status of each revised MOU is discussed in Exhibit F.

In general, the meetings regarding the MOUs have been productive and extremely congenial. It is clear that OCRA's working relationship with the various regional centers has become well established and that concerns between the two agencies can be addressed with minimum difficulty in almost every situation.

### **2) Meeting with Association of Regional Center Agencies (ARCA).**

Catherine Blakemore, Executive Director, Disability Rights California, and Bob Baldo, Executive Director of the Association of Regional Center Directors, have met frequently during the past year in connection with the DDS budget cuts. There are no new outstanding issues at this time. Further meetings with ARCA will be convened, should concerns arise.

### **D. Consumers and families are satisfied with the services provided.**

Disability Rights California recognizes that consumer satisfaction is a primary goal for the people whom it serves. OCRA is committed to reaching consumers and parents in a manner and with results that ensure consumer and family satisfaction with the services provided.



## **1) Consumer Satisfaction Survey.**

OCRA measures consumer satisfaction by use of an instrument developed jointly by staff, the OCRA Consumer Advisory Committee, and DDS. From the results of the most recent survey, it is clear that consumers remain extremely satisfied with the services provided by OCRA.

Seven hundred and eleven surveys were mailed out. One hundred and eighty-five people returned the survey. This represents a 26 percent return rate of the surveys.

Of those responding to the questions, 94 percent of the responders felt they were treated well by the staff, 91 percent understood the information they were provided, 92 percent believed their CRA listened to them, 88 percent believed they were helped by the CRA, and 93 percent would ask for help from OCRA again. See Exhibit G, which discusses the results of OCRA's survey.

## **2) Letters of Appreciation.<sup>5</sup>**

Thanks again for spending the day with us and sharing your wealth of knowledge on Special Ed! The feedback from both sessions was "excellent" and staff were very appreciative of the information they received and your style of presentation. We are very fortunate to have you as a resource.

We wanted to say thank you for all your help with \_\_\_\_'s IEP. I know the outcome would not have been the same without you. We really appreciate your help. I could never repay you for your help. Thank you. You have saved us from a lot of heartache and grief. Thank you, thank you!!

Contactamos PAI desde el año 2007 y desde entonces hemos recibido consejería profesional, información, y una asistencia constante de parte de usted y la oficina que representa. Su profesionalismo nos ha impactado, nos sentimos satisfechos por su apoyo en el caso de nuestro hijo.

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<sup>5</sup> OCRA is providing the letters of appreciation with the wording from the originals unless otherwise indicated.

Estamos seguros de que podemos contar con su ayuda en el futuro, más queremos expresarle nuestra profunda gratitud por los resultados obtenidos, que Dios continúe bendiciendo su trabajo para que pueda representar a muchos Clientes en la obtención de servicios y una mejor calidad de vida. (We have been in contact with PAI from 2007 and since then we have received professional advice, information, and consistent assistance from you and your office that you represent. Your professionalism has made an impact on us, we feel satisfied with the support you have provided in our son's case.)

We are assured that we can count on your assistance in the future, we also would like to express our profound gratitude for the results we obtained, may God continue to bless your work so that you may be able to represent many clients in obtaining services and a better quality of life.

Thank you so much for doing such a wonderful presentation and working with me at our parent support group meeting. You have a wealth of information and I have also learned quite a bit. Thanks again for all your help.

Thank you very much to drove down and take times to give us the speech. It make the parents more clearly to know what they should prepare for the IEP. The parents want me to let you know they benefits a lot from your seminar. So, that means it worth for us to spend our time.

I wanted to express my deep gratitude for your professional assistance during my recent meeting with .... Clearly your presence, your knowledgeable input and your ability to tactfully manage a strained situation created an opportunity for me to pursue needed services for my son correctly. You've helped me to overcome the created barriers by assisting me to have a better understanding of proper procedures & the role of the regional center. Some people work because they must so their deeds are done grudgingly with very little precision. And then there are some who are well suited, qualified and prepared for their position. You are such a person. Again, thank you for your outstanding assistance and follow-up in this matter for my son, for me and for our family!

Thank you all for your advocacy and professionalism to ensure our son's new placement. The Lanterman Act is alive and well in California!

Señora Anastasia gracias por todo su apoyo y conocimiento en el caso de nuestro hijo \_\_\_\_\_ sus conocimientos nos ayudó a dar un gran paso para que se hagan valer los derechos de \_\_\_\_\_. Familia \_\_\_\_\_. (Mrs. Anastasia thank you for all of your support and knowledge in our son \_\_\_\_\_ case your knowledge helped us in taking a great step towards making sure that \_\_\_\_\_ rights are counted.)

I thank you for the wonderful speech you gave to us.

Thank you for visiting our classroom and explaining about legal stuff like the S.S.I. and I.P.P. and other things to. I had a good time so thank you so much and the things you gave us too.

Thank you for your business card and the pen. Thank you for speaking to our class.

QUEREMOS AGRADECERTE TODO EL APOYO QUE NOS HAS BRINDADO DURANTE TODO ESTE TIEMPO A KAREN Y A NOSOTROS MUCHISIMAS GRACIAS DE PARTE DE \_\_\_\_\_. (WE APPRECIATE ALL THE SUPPORT THAT YOU HAVE PROVIDED KAREN AND OURSELVES DURING ALL OF THIS TIME. THANK YOU VERY MUCH ON BEHALF \_\_\_\_\_).

On behalf of our clients and families at Harbor and Westside, I wish to extend our sincere appreciation to you for your participation in the Southwest SELPA Transition Fair at the Toyota Sports Center. The information you provided to our clients and families is essential for them to plan and make decisions about services after leaving the public school system.

Your continued willingness and commitment to provide counselors, clients and families information about the services available through your agency is a critical support to assist our clients to become productive citizens.

Westside is fortunate to have individuals like you, I who are willing to participate in this kind of informational even, especiall on a Friday evening....

Hurray!! I just got a call...and they are re-instating...’s eligibility for RC!! ...you are the best. You did an AWESOME job. You were so tenacious yesterday and obviously prepared....You have been helpful every step of the way, as well. It has been a long road, but we finally arrived! Thanks to both of you for all your assistance and support. I am so happy we had the opportunity to work with you and your agency....

...Of course, any advice or tips coming from a dedicated, legal professional like you are more than welcome. My family would like to let you know that your assistance and support are more than appreciated. We know how busy you are with your work but still find time to keep in touch with us and which also gives me a reassuring feeling that I’m not alone in my battle against this debilitating disorder that has befallen me as such a young ago. The world is a better, brighter place for me and those suffering to a similar fate as mine because of people like you who care and the organization you represent. ...Again, thank you so much for being my guardian angel and for giving me hope for something better each day....

...OCRA’s services...have had a profoundly positive effect, not only on \_\_\_\_’s life and well being, but also on the life of his family. We hope OCRA will continue to protect the rights of this vulnerable population and the people who love them.

Thank you for everything and we wish you a world full of light and blessings always and that you have a good time.

Thank you....with out you we would not have been able to have done it. God blessed us and put you on our path. Thank you for being so good. For helping us open doors that we thought were closed.

I appreciate everything that you do and have done for \_\_\_\_ and I. There is nothing too big or small for you to accomplish. You truly go above your job you are very dedicated. You are truly an asset in life....

In behalf of our planning committee and the parents who attended the mini-conference, thank you very much for giving the two workshops....The evaluation forms show that the parents were very

pleased with the useful, clean, information and it was mentioned several times that the questions they asked were all answered. Please let \_\_\_\_ know that many people mentioned to me that the interpretation was excellent.

Thank you very much for your presentation today. You are a walking encyclopedia. My workers and I learned a tremendous amount of useful information about your job and how we can better service our mutual clients.

\_\_\_\_ and I want to thank you for opening our eyes to the reality that we can fight to get \_\_\_\_ what he deserved and needs. We are so grateful to you for all the time and effort you have expended in getting us prepared for the IFSO meeting. I kind of feel like we forgot everything you told us to do—but we will keep at it. Your constant guidance and wisdom is invaluable; we couldn't do it without you. Please know that we really appreciate you and we look forward to putting forth an even greater effort to speak up for \_\_\_\_.

Thank you so much, \_\_\_\_\_. You are an advocate's advocate.

### **3) Cases will be handled in a timely manner.**

It is important that advocacy services be provided in a timely manner. Consumers and families are frequently in emergency situations, in danger of losing their placement in the least restrictive environment, losing their source of income, unable to get their medical needs met and a myriad of other dangerous or difficult situations. For this reason, OCRA has, since its establishment, had a policy that all calls will be returned as soon as possible, but not later than closing of the next business day. OCRA measures its performance in this area by use of its consumer satisfaction survey, see Exhibit G, discussed more fully above. OCRA statistics shows that 85 percent of all callers to OCRA received a call back within two days during the fiscal year. This level of performance provides verification that cases are resolved in a timely manner. OCRA will continue to train on this requirement to ensure that it provides exceptional services for all callers.

**E. The provision of clients' rights advocacy services is coordinated in consultation with the DDS contract manager, stakeholder organizations, and persons with developmental disabilities and their families representing California's multi-cultural diversity.**

OCRA works through the OCRA Advisory Committee to ensure that this performance outcome is achieved. Effective December 13, 2008, the Disability Rights California Board of Directors made a decision to move the OCRA Advisory Committee to be a board committee, instead of a stand-alone committee. The change was made for both effectiveness and fiscal reasons. Attached as Exhibit H is a list of the members of the OCRA Advisory Board Committee effective June 30, 2009.

Public members of the Advisory Committee are appointed by Disability Rights California's Board of Directors. In the selection process, the Board considers geographical diversity, both rural and urban and north and south, type of developmental disability represented, and ethnic background, in addition to the qualifications of the individual applicants.

The Board OCRA Advisory Committee is a knowledgeable, constructive, and helpful group of volunteers who continue to provide valuable guidance to the OCRA staff. The meetings are lively and informative and provide a forum for exchange of ideas and information. Minutes for the meeting held on March 6, 2009, are attached as Exhibit H.

DDS staff is invited and encouraged to participate in the next meeting, which is set for September 11, 2009, in the Bay Area.

**F. Self-advocacy training is provided for consumers and families at least twice in each fiscal year.**

Welfare and Institutions Code, Section 4433 (d)(5), requires that the contractor providing advocacy services for consumers of regional center services provide at least two self-advocacy trainings for consumers and family members. Disability Rights California's contract with DDS mirrors this language. OCRA has been proactive in this matter and requires each of its offices to provide at least one

self-advocacy training for consumers a year, so OCRA far exceeds the mandated number of trainings. Many offices provide more than one training.

To date, OCRA has developed five separate packets of information for OCRA staff to use in the mandated trainings:

Clients' Rights Information (Several versions of basic materials are used.)

Voting Rights

Clients' Rights Bingo

Hands off My \$\$\$

Being Your Own Boss

Next fiscal year, OCRA has agreed to work with DDS on a self-advocacy training developed by DDS for consumers on consumer safety in emergencies. DDS sponsored a training of the trainers day for OCRA in Sacramento on December 9, 2008. A copy of the protocol developed for this training by OCRA is provided in the OCRA Self-Advocacy Trainings' Evaluation Binder given to DDS along with this report.

OCRA also is to provide self-advocacy trainings mandated from the court-approved settlement of Capital People First, a law suit brought by Disability Rights California to encourage the movement of consumers from developmental centers to the community. OCRA will utilize materials developed by DDS in the self-advocacy trainings which are to be given to residents of large facilities.

Samples of the OCRA self-advocacy packets (most are in both English and Spanish), were provided separately in a binder marked OCRA Training Materials with the 2007-2008 Annual Report. In discussions with DDS's Contract Manager, it was decided that OCRA should not submit duplicate training packets in this year's report. As always, OCRA welcomes comments from DDS on any training packets.

An advocate may use information from any packet in presenting his or her self-advocacy trainings to consumers. During the next fiscal year, each OCRA office will do at least one Emergency Preparedness self-advocacy training. Additionally, OCRA is required to report in its

Annual Report an evaluation of the trainings. OCRA has randomly selected consumer training satisfaction evaluations and included copies of them in the OCRA Self-Advocacy Trainings' Evaluation binder under separate cover. Almost without exception, consumers are pleased with OCRA's self-advocacy trainings.

Self-Advocacy Trainings held last year are listed in Exhibit I.

### **III. TITLE 17 COMPLAINTS**

CCR, Title 17, Section 50540, sets forth a complaint procedure whereby a regional center consumer, or his or her authorized representative, who believes a right has been abused, punitively withheld or improperly or unreasonably denied, may file a complaint with the Clients' Rights Advocate. The Complaint process is similar to that established by Welfare & Institution Code, Section 4731. However, the later law offers more consumer protections. There was three Title 17 Complaints filed during the last fiscal year, both involving the same situation but different consumers. Please see Exhibit J for a chart showing the Title 17 Complaints.

### **IV. DENIAL OF CLIENTS' RIGHTS**

CCR, Title 17, Section 50530, sets forth a procedure whereby a care provider may deny one of the basic rights of a consumer if there is a danger to self or others or a danger of property destruction caused by the actions of a consumer. The CRA must approve the procedure and submit a quarterly report to DDS by the last day of each January, April, July, and October. OCRA is including the reports concurrently with the contractual date to provide OCRA's reports. If this is not acceptable to DDS, OCRA will submit duplicate reports as requested. Attached as Exhibit K is the current log of Denials of Rights from the OCRA Offices.

### **V. CONSUMER GRIEVANCES**

Exhibit A, Paragraph 12, of the contract between DDS and Disability Rights California requires OCRA to establish a grievance procedure



and to inform all clients about the procedure. DDS has approved the grievance procedure developed by OCRA. The procedure is posted prominently in both English and Spanish at each office. Additionally, the grievance procedure is included in all letters to consumers or others who contact OCRA, when an office declines to provide the requested service to that person.

Seven grievances were filed by consumers or their families during the past year. Most actions of OCRA were upheld in the grievances. Information concerning the grievances has previously been submitted to DDS. Attached as Exhibit L is a chart detailing the grievances filed against OCRA during this period.

## **VI. COLLECTION OF ATTORNEYS FEES**

OCRA does not charge consumers, their families or advocates fees for services nor does OCRA seek to recover costs from these individuals. Clients' Rights Advocates who are licensed to practice law in California, or Assistant or Associate Clients' Rights Advocates working under the supervision of an attorney, can collect attorney's fees and costs similar to those collected by private attorneys or advocates for special education cases or other cases where there are statutory attorney's fees. OCRA collects fees only in special education cases or Writs of Mandamus. Fees and costs may be negotiated at mediation or can be received in those cases where an Administrative Law Judge has made a determination that the petitioner is the prevailing party. Fees are collected from the opposing party, which is normally a school district. Costs include any expenses to the Petitioner or OCRA for suing, such as filing fees or costs of expert evaluations. Neither Disability Rights California nor OCRA ever collect attorney's fees from consumers.

The amount collected for any individual case depends upon several factors such as the geographical location where the consumer lives, and the years of experience of the attorney who handled the case. Attached as Exhibit M is a chart showing the amount and source of any attorney's fees collected by OCRA during the past fiscal year.

## **VII. RECOMMENDATIONS FOR ENHANCEMENT OF SERVICES**

The contract between DDS and Disability Rights California requires that on an annual basis Disability Rights California make recommendations to DDS as to potential methods of enhancement of the services that OCRA provides for regional center consumers. Disability Rights California does not believe, given the difficult economic circumstances of the state and the reduction in services to consumers, that such recommendations are appropriate at this time.

However, we do want to express our concerns about the increase in requests for assistance and OCRA's ability to meet the advocacy needs of consumers including the improper reductions in generic services as well as working with regional centers to ameliorate consumers' legal issues. OCRA has experienced a 13 percent increase in service requests from July, 2008, to July, 2009. OCRA recognizes and is extremely appreciative of the fact that DDS has supported this organization in its efforts to provide effective statewide advocacy to all consumers. Disability Rights California will continue to explore with DDS ways in which OCRA can provide appropriate advocacy services to those consumers in need.

## **VIII. CONCLUSION**

OCRA's statistics show its staff's continuing commitment to the protection of the rights of people with developmental disabilities. OCRA handled over 8,488 cases the last year, provided 418 trainings to over 18,749 people, and met each of its performance objectives. OCRA remains dedicated to ensuring that the rights of all of California's citizens with developmental disabilities are enforced.