



New York State Archives

**New York State Office of Mental Health Office of Counsel
Legal Files 12045**

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Overview of the Records

Repository:	New York State Archives
Summary:	These files were generated by the Department of Mental Hygiene's Office of Counsel, which acts as such to both the Commissioners of Mental Health and People with Developmental Disabilities. The bulk of the files document claims, legal suits, and grievances filed against the state and/or the department and contracts and agreements entered into by the department. Records include claim documentation, motion papers, affidavits, opinions, orders of dismissal, releases, grievances, contracts and agreements.
Creator:	New York (State). Office of Mental Health. Office of Counsel
Title:	Office of Mental Health Office of Counsel legal files
Quantity:	122 cubic feet
Inclusive Date:	1972-1986
Series:	12045

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Arrangement

Alphabetical by contract or claimant's last name within each subseries.

Organized into 6 subseries: 1. Hostel Contact Files; 2. Court of Claims Files; 3. Litigation Files; 4. Purchase of Service Contracts; 5. Developmental Disabilities Act Contracts; and 6. Miscellaneous Contracts.

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Administrative History

Under the provisions of Chapter 978 of the Laws of 1977 the Department of Mental Hygiene was reorganized into three autonomous offices: the Office of Mental Health, the Office of Mental Retardation and Developmental Disabilities (later Office for People with Developmental Disabilities), and the Office of Alcoholism and Substance Abuse.

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Scope and Content Note

These files were generated by the department's Office of Counsel which acts as such to both the Commissioners of Mental Health and Office for People with Developmental Disabilities. The bulk of the files deal with claims, suits, and grievances filed against the state and/or the department and with contracts and agreements entered into by the department. The claims filed against the state deal with such issues as misuse of drugs, malpractice, accidental deaths, automobile accidents, unlawful retention of individuals in department facilities, and staff firings. The contracts and agreements pertain to the purchases of services by the department from other mental health related agencies and non-profit organizations (these include pre-vocational training programs, transportation and recreational services); the Developmental Disabilities Act through which the department supervised the disbursement of federal funds to non-profit organizations such as the New York State Association for Retarded Children; hostels such as Vanderhyden Hall and Unity House of Cayuga County; and mortgage modifications.

Most of the series consists of legal case files that include claims, motion papers, affidavits, opinions, orders of dismissal, releases, grievances, contracts and agreements. The series also includes a small amount of incoming and outgoing correspondence and memoranda.

12045-92A: This accretion consists primarily of subject files, administrative law proceedings, and a small number of court cases. Subjects include abandoned property; clinic treatment programs; family care; developmental disability funded programs; medicaid claims; site selection; and termination of parental rights. There are files on the establishment, investigation, and operation of adult centers; surveys, transcripts, exhibit and other appeal materials relating to facilities disallowance (of funds under the Social Security Act); materials on rate appeal hearing proceedings (to raise per diem rates for clinical care and residential community costs); and administrative hearings transcripts, notes, internal memorandums, exhibits, and state's evidence for cases relating to suspension of operating certificates to family care providers.

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Related Information

Related Material

B2457 New York State Office of Mental Retardation and Developmental Disabilities Office of Counsel Legal Files contains related records.

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Other Finding Aids

Available at Repository

Container lists are available at the repository.

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Use of Records

Access Restrictions

Restricted in part in accordance with Section 33.13 of the New York State Mental Hygiene Law relating to confidentiality of clinical records. Access to restricted records is permitted under certain conditions upon approval by the Office of Mental Health.

Access Terms

- Legal files
- Mental illness
- Litigation
- Counseling
- Malpractice
- New York (State)
- Mental health
- Developmentally disabled
- New York State Association for Retarded Children
- New York (State). Department of Mental Hygiene