

LAW PROJECT FOR PSYCHIATRIC RIGHTS, INC.

(*PsychRights*)

406 G Street, Suite 206, Anchorage, Alaska 99501

(907) 274-7686 Phone ~ (907) 274-9493 Fax

<http://psychrights.org>

CONTACT:

Jim Gottstein

907 274-7686

jim@psychrights.org

PsychRights Sues State of Alaska to Avoid Upheaval

FOR IMMEDIATE RELEASE

January 12, 2004

Today, the Law Project for Psychiatric Rights (PsychRights) announced it has filed a lawsuit against the State of Alaska designed to avoid the upheaval of re-starting the Mental Health Trust Lands Litigation. This litigation embroiled the State and held up development of the very desirable trust land for over ten years.

Jim Gottstein, VP/COO of PsychRights, the attorney handling the suit said, "with all the new legislators and the new administration having to deal with the state's budget crisis, we are concerned the state will inadvertently force the re-opening of the original litigation." The original lawsuit was brought in 1982 after the State passed a law removing the one million acres of land from the Trust. After a dozen years of bitter litigation, including a "land freeze" on the entire million acres, a settlement was approved in 1994. The terms of the Settlement include that four state boards --(1) Alaska Mental Health Board, (2) Advisory Board on Alcohol and Drug Abuse, (3) Governor's Council on Disabilities and Special Education, and (4) Alaska Commission on Aging (Four Settlement Boards) -- perform certain functions and fulfill certain duties.

"The only remedy for a breach of the Settlement is to re-open the original litigation so it is critical that the State not violate its terms," said Don Roberts, President of PsychRights. "We want to make sure the State understands the implications of failing to provide the means for the Four Settlement Boards to fulfill their settlement mandated duties. Our lawsuit asks the court to rule that it is an implied material term of the Settlement that the Four Settlement Boards be given adequate funding and adequate opportunity to fulfill their settlement mandated functions and duties."

Katsumi Kenaston, the plaintiff in the lawsuit, pointed out, "The State should have to keep its promises." Mr. Gottstein, added, "The settlement bought peace over the Trust Lands. If the State wants to break that peace, we can't really do anything about that. We just want them to know they are doing it if they fail to adequately fund the Four Settlement Boards. It does seem irrational to flirt with the disaster that re-opening the litigation represents over a few hundred thousand dollars."

The Law Project for Psychiatric Rights is a tax-exempt charity whose mission is to bring fairness and reasonableness into the administration of legal aspects of the mental health system. It has become clear that the public mental health system is creating a huge class of chronic mental patients through forcing them to take ineffective, yet extremely harmful and addictive drugs. Throughout the United States the courts are being misled by dishonest research and testimony and are forcing tens of thousands of people a year to take drugs that are not only physically harmful, but permanently damage the brain. These drugs also make people more susceptible, not less susceptible to psychiatric symptoms. In support of its mission, PsychRights publishes relevant research and information on its website (<http://psychrights.org/>) and gratefully accepts donations.

#