



Center for Public  
Representation



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## **Court Issues Landmark Disability Decision for People with Intellectual and Developmental Disabilities in Texas' Nursing Facilities**

SAN ANTONIO –A Texas federal judge has ruled that Texas officials are violating federal law, causing irreparable harm to thousands of Texans with intellectual and developmental disabilities (IDD) whom they segregate in nursing facilities without mandated services or opportunities for community living. After presiding over a multi-week trial in the class action lawsuit in *Steward v. Young*, US District Court Judge Orlando L. Garcia from the Western District of Texas issued a 475-page opinion on Tuesday (June 17, 2025).

“Texas’ actions have caused irreparable injury to people with IDD who are in nursing facilities,” declared Judge Garcia.

The judge further found the harm continues to the present day, noting, “The irreparable injury resulting from Defendants’ ongoing refusal and failure to provide people with IDD with preadmission screenings, professionally appropriate assessments of their habilitative needs, specialized services to meet those needs, and active treatment is severe and ongoing.”

For decades, the State has unnecessarily institutionalized more than 4000 Texans with IDD in segregated nursing facilities and denied them specialized disability services which are required by federal law. More than a decade ago, twelve individuals with IDD, together with two state-wide disability organizations, filed a class action case asking the federal court to halt these federal law violations. Shortly thereafter, the United States Department of Justice (DOJ) intervened to support the people with disabilities.

In his comprehensive [opinion](#), Judge Garcia ruled in favor of the plaintiffs and DOJ on all claims. The judge meticulously reviewed the facts, relying in significant part on the testimony of the plaintiffs, their families, disability providers and organizational leaders, and national experts. The decision detailed the harm and deprivations suffered by plaintiffs due to the state’s systemic failures and longstanding violations of federal laws, including the Nursing Home Rehabilitation Act, the Americans with Disabilities Act, Section 504 of the federal Rehabilitation Act, and the Medicaid Act.

For example, the judge noted most class members were never properly screened or evaluated before entering the nursing facility, none had comprehensive functional assessments, few received professionally appropriate service plans, and virtually none received specialized services and active treatment, as required by federal law. Few, if any, class members were provided with information about alternatives to confinement in nursing facilities, which the judge described as “segregated institutions.”

Judge Garcia emphasized that the *Steward* class members, like most people with IDD in nursing facilities, could receive services in the community, but they were never provided information about alternative placement or afforded the opportunity to make an informed choice about where to live and receive services. “Although community programs are the most integrated setting appropriate to meet their needs, they remain unnecessarily institutionalized in nursing facilities, or at serious risk of such institutionalization. They are harmed by such institutionalization and deprived of living in a community setting and participating in integrated community programs.”

The Court ordered the parties to submit a proposed remedial order by August 1, 2025. While long delayed, the Court’s decision is a stunning result that affirms the core goal of the ADA – to end the historical segregation of people with disabilities, and to allow all people in nursing facilities to transition to integrated programs in the community with appropriate supports.

The plaintiffs were represented by the Center for Public Representation (CPR), Disability Rights Texas (DRTx), and Sidley Austin LLP. This case began 15 years ago.

**Steven Schwartz, Special Counsel from CPR**, stated: “For thousands of people with IDD in nursing facilities who have waited for decades for a chance to live full lives in integrated community settings, this decision will allow them all to come home. And for the four named plaintiffs, and probably many others, who died waiting for Texas to comply with federal law, this decision is a poignant testimony to their patience, perseverance, and courage.”

**Garth Corbett, Senior Attorney from DRTx**, praised the Court’s decision, underscoring “the right of persons admitted to nursing facilities with IDD to be provided the necessary supports and services required by federal Medicaid law, so that those who want to live at home or in another community-based setting are able to do so safely.” He noted that the Court recognized that it was only because of DRTx’ advocacy that any of the named plaintiffs were able to leave the nursing facility and transition to the community.

**Yvette Ostolaza, Chair of Sidley Austin’s Management Committee** described her experience on this case: “This pro bono class action case, which began in 2010 has been an enormous team effort by our firm of thousands of hours of pro bono legal work. When I was approached by CPR in 2009 to take on this case, I knew it was the type of pro bono legal work that would have a high impact on so many families. When I met clients, I knew that they should prevail because these Texas families deserved better. I am honored to have been part of the team and am grateful that our firm was willing to devote the time and commit the financial resources to see this case through a decade-long litigation.”

**Robert Velevis, Partner at Sidley Austin, explained:** “From the first time I met our clients in their nursing facilities, I knew that what was happening to them was wrong. But I also knew that the wrong would not be righted without a tremendous dedication of time and energy from a large legal team. I am so thankful that my partners at Sidley were willing to dedicate so much of our resources, all pro bono, to get the relief that our clients so justly deserve.”

## About CPR

The Center for Public Representation (CPR) is a public interest law firm that has been assisting people with disabilities for almost fifty years. It has litigated systemic cases on behalf of persons with disabilities in more than twenty states, and authored *amici* briefs to the United States Supreme Court and many courts of appeals, in order to enforce the constitutional and statutory rights of persons with disabilities, including the right to be free from discrimination under the ADA.

## About Disability Rights Texas

Disability Rights Texas is the federally-designated Protection and Advocacy agency in the State of Texas. Under federal law, it is charged with the responsibility for monitoring public and private institutions and programs that serve people with disabilities, protecting people with disabilities from abuse and neglect, and ensuring that the rights of people with disabilities are respected and fully enforced.

## About Sidley

Sidley is an elite global law firm. With approximately 2,300 lawyers and nearly 160 years of experience, we have established a reputation for deploying innovative legal strategies to achieve powerful results for our clients in complex transactional, restructuring, crisis management, investigation, regulatory, and litigation matters.

Our perspective and reach are truly global, supported by 21 offices strategically situated in key commercial, regulatory, and financial centers across the world. Our lawyers and business professionals, fluent in more than 75 languages, possess the cultural awareness and cross-border legal acumen needed to bring clarity to a dynamic business landscape.

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