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ACR-55 ARC v. Department of Developmental Services: 40th anniversary. (2025-2026)

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Assembly Concurrent Resolution No. 55

CHAPTER 59

Relative to developmental disabilities.

[Filed with Secretary of State May 05, 2025.]

LEGISLATIVE COUNSEL'S DIGEST

ACR 55, Jeff Gonzalez. ARC v. Department of Developmental Services: 40th anniversary.

This measure would recognize the month of March 2025 as the 40th anniversary of the California Supreme Court decision in ARC v. Department of Developmental Services and celebrate the Legislature's 1969 passage of the Lanterman Developmental Disabilities Services Act.

Fiscal Committee: no

WHEREAS, March 21, 2025, is the 40th anniversary of the California Supreme Court decision in the case of ARC v. Department of Developmental Services (38 Cal.3d 384), which was a landmark decision reinforcing the protections granted under the Lanterman Act, affirming the necessity for services to be tailored to individual needs, and reflecting the state's commitment to uphold the rights of Californians with developmental disabilities; and

WHEREAS, Developmental disabilities include autism, epilepsy, cerebral palsy, intellectual disability, and conditions that are either closely related to, or require similar services as, intellectual disability, and significantly impact the life of the individual; and

WHEREAS, In 1965, the Legislature passed Assembly Bill 691 of the 1965 Regular Session, authored by Assembly Member Waldie, with two pilot regional centers opening in 1966 to provide community services to people with developmental disabilities, which was expanded statewide in 1969 as the Lanterman Developmental Disabilities Services Act (Lanterman Act); and

WHEREAS, In 1982, the Governor issued spending reductions cutting services to people with developmental disabilities by category, without regard to the individual's individual program plan (IPP), an action challenged in court by advocates from The Arc California and other concerned organizations and individuals in a case known today as ARC v. DDS; and

WHEREAS, In 1985, nearly 20 years after the first pilot regional centers were created, the California Supreme Court recognized in ARC v. DDS that it is through the IPP process that the Lanterman Act implements the rights granted to each developmentally disabled person and the obligations imposed on the state; and

WHEREAS, The California Supreme Court also declared in its 1985 decision that, through the IPP, people with developmental disabilities receive, "as an entitlement, services that enable [them] to live a more independent and productive life in the community." Under existing law, the state cannot require regional centers to reduce services by category without regard for the individual's IPP, as to do so would have "vitiated the IPP procedure, and with it the rights and obligations the Act defines"; and

WHEREAS, The Lanterman Act, enacted 56 years ago, now benefits approximately 450,000 Californians with developmental disabilities and their families and empowers people with developmental disabilities to lead lives of greater inclusion and self-direction in communities of their choosing; and now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature recognizes the month of March 2025 as the 40th anniversary of the California Supreme Court decision in ARC v. DDS in favor of the rights of Californians with developmental disabilities; and be it further

Resolved, That the Legislature celebrates its historic 1969 passage of the Lanterman Act and the requirement that the state meet the needs of each person with developmental disabilities without exception at each stage of life; and be it further

Resolved, That the ARC v. DDS decision reinforces the protections afforded by the Lanterman Act, and the state's commitment to upholding persons with developmental disabilities' entitlement to the services that enable them to live a more independent and productive life in the community, as set forth in their IPP; and be it further

Resolved, That the state remains committed to the protection of the IPP as it moves forward with its efforts to create a well-coordinated master plan approach to supporting Californians with developmental disabilities across service systems throughout state government; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the author for appropriate distribution.