

National Association of Law Students with Disabilities

In January of 2007, the American Bar Association brought together thirty-five students with disabilities from across the country to create a national organization for law students with disabilities. This report chronicles planning of the conference, perspectives shared in the meeting, and coordination after the fact.

I. BACKGROUND

The concept for a national organization started with phone conversation among the chairs and liaisons to the Committee on Rights of Persons with Disabilities (Committee) in September of 2005.¹ While discussing the landscape for lawyers with disabilities, the participants² noted that the biggest problems started with law school. They commented that law students with disabilities faced discrimination and under-accommodation. Due to low numbers and disclosure concerns, law students with disabilities often felt isolated on campus—uncertain of allies and the identities of fellow students with disabilities. The Committee leadership recognized the importance of a presence on campuses and a safe space for connection among students and concerted action.

The Committee leadership initially focused on a national structure because of the permanence and continuity that out-lasts the tenure of particular students. They recognized that individual schools might not have sufficient students to maintain an organization for any given year, so a national organization could facilitate an easy revival when students were available to lead. Additionally, they noted that many of the barriers facing law students involved national policy and would require national organizing.

The Committee leadership presented the idea to the ABA Section of Individual Rights and Responsibilities (IRR).³ The staff of IRR took a few months to look into existing resources for law students with disabilities and confirm the impression that no cross-disability national network of law students already functioned.⁴ They circulated a survey to some law students with disabilities and inquired about general interest in a student organization, desired objectives, and potential services. After determining the need for a national organization, Alex Hurder and Emily Hecht presented the idea in May of 2006 during a conference convened by the ABA Commission on Mental and Physical Disability Law (Commission). Emily Hecht, former Assistant Director of IRR, asked the Commission for assistance coordinating a planning conference for law students with disabilities to create a national organization.

A. PLANNING THE CONFERENCE

Emily reached out to students involved in the Commission's mentorship program to plan the conference. Six students volunteered to participate in a working group and they started conversation in early October.⁵ The working group, communicating primarily by email,⁶ identified the objectives for

¹ The Committee on Rights of Persons with Disabilities is a committee of the ABA Section of Individual Rights and Responsibilities. The ABA House of Delegates recently passed support of access to courts and nondiscrimination regarding disability. As part of this initiative, the Committee planned a conference of Lawyers with Disabilities.

² The phone call included Alex Hurder, Cathy Pew, Judge Richard Brown, and Laura Rothner. Two of the participants were lawyers and two were persons with disabilities.

³ The mission statement of the ABA Section of Individual Rights and Responsibilities reads:

Created in 1966, the Section of Individual Rights and Responsibilities provides leadership within the ABA and the legal profession in protecting and advancing human rights, civil liberties, and social justice. The Section fulfills this role by 1) raising and addressing often complex and difficult civil rights and civil liberties issues in a changing and diverse society, and 2) ensuring that protection of individual rights remains a focus of legal and policy decisions.

ABANet.org, About Our Section, <http://www.abanet.org/irr/description.html> (last visited April 15, 2006).

⁴ This research focused on the scope and structures of identity organizations like NNALSA.

⁵ Rachel Arfa, Valkyrie Hanson, Carrie Herrichsen, Josh Pila, Koerc Wehberg, and Rebecca Williford served as student members of the planning committee.

⁶ An attempt at an online chat proved unwieldy, so the students used independent instant messaging for the first conversation and email for most conversations subsequent.

the event and designed the agenda.⁷ Once the working group determined the agenda, the IRR and Commission staff worked to slate panelists and facilitators.

After defining the scope of the conference, IRR and the Commission advertised the conference with a one page flier. The flier circulated to the Deans of American law schools, IRR and Commission listservs, existing disability organization listservs, and organizational websites in the third week of November, 2006. The introductory language read: “This new organization will provide an opportunity for fellowship and networking among law students, potential law students, and practicing attorneys with disabilities and will allow students to advocate and educate on a national level in the interest of law students with disabilities.” The flier listed objectives of: (1) identify needs of a diverse student population; (2) define organizational goals; (3) draft a mission statement; (4) create a structure and draft bylaws; (5) elect officers.

The committee originally intended small break-outs into working groups for each objective, but plans changed. The staff at IRR and the Commission noted a scarcity of facilitators with disability consciousness, and they determined that hiring facilitators without disability consciousness would be cost-prohibitive and counter-productive. Additionally, forty students registered for the conference, and the organizers deemed forty to be a functioning size for initial discussions.⁸ The organizers purposefully left the position of facilitator unfilled for the final three sessions in an effort to foster leadership and ownership within the group.

B. FUNDING THE LAUNCH

IRR envisioned a two-year commitment to incubating a national organization for law students with disabilities. To this end, IRR raised approximately \$40,000 through a law firm campaign. IRR budgeted \$30,000 for the initial conference and \$10,000 for general incubation.

The conference funding covered registration costs for all participants and limited scholarships. Recognizing the low income levels and financial burdens of many law students with disabilities, IRR and the Commission sought to provide scholarships for travel and lodging. IRR awarded scholarships of \$500 to the first seventeen⁹ applicants who certified exhaustion of all alternative sources of funding. Scholarships were distributed as reimbursements for documented expenses.

C. ARRANGING ACCOMODATIONS

The working group included students with vision impairments, hearing impairments, motor impairments, and other disabilities. The students emphasized the need for coordination of a broad spectrum of accommodations in order to create a meaningful dialogue. The group discussed accommodations in the hotel and conference site including wheelchair access, CART captioning, materials in electronic format,¹⁰ and transportation.

II. NOTES FROM THE CONFERENCE: SATURDAY

This section explains the representation at the conference and summarizes the thoughts voiced in each of the sessions.

A. ATTENDANCE

After eight months of planning, the ABA hosted the conference at American University on January 27-28, 2007. Approximately thirty-five students participated, representing twenty law schools

⁷ The students exchanged multiple emails about the nature of panel discussions in the conference. One student suggested a panel of law school administrators to explain their role, process, and constraints. Committee members shared divergent perspectives regarding the supportiveness and/or antagonism of administrators. Another student suggested a panel of large law firm partners. Ultimately, the students reached the conclusion that these panels were best suited for a developed organization and that more time was needed for foundational discussions.

⁸ Additional concerns included the foundational nature of the topics and the potential for inaccurate or inefficient reporting to the group.

⁹ There is disagreement as to whether seventeen or eighteen students received scholarships.

¹⁰ Electronic format includes both MS Word and PDF formats.

located in fourteen different states.¹¹ Regionally, there were seven students from the West, seven from the Mid-west, seven from the South, and five from the North-east. Eight students identified as blind or visually impaired; four identified as deaf or hearing impaired; three identified as paraplegic or spinal cord injury; two identified localized physical disabilities; two identified muscular disabilities; two identified learning disabilities; and two identified psychiatric disabilities and chronic illness.¹² Notably, students primarily identified with visible and/or physical disabilities.¹³ One sign-in sheet reflected four 1Ls, twelve 2Ls, and seven 3Ls.

In addition to the law students broken down by region, disability identification, and year above, an assortment of staff, practitioners, and prospective students attended the conference. ABA staff included Tanya Terrell, Patrice McFarlane, and Jonathan Simeone. ABA leadership in attendance included Robert Stein, IRR Chair; Scott C. LaBarre, Commission Chair; and Judge Richard Brown and Professor Alex Hurder, Committee Co-Chairs. Three practitioners¹⁴ and approximately five prospective law students also attended the conference.

B. OPENING REMARKS

Robert Stein opened the conference with a charge to “begin to create an organization that will strive to make a person’s intelligence, compassion, and legal skills, or if you’re still students, potential legal skills, the factors that are looked to in law school admission, law school performance, and the ability to be accepted as a lawyer.” He stated that “the entire ABA is supportive of your work,” but clarified, “the shape that this organization takes is up to you.”¹⁵

C. PANEL OF LEADERS

The panel of leaders included Amada West, President of the Women’s Law Caucus at Catholic University; Nicole, President of the Black Law Student Association at her campus; and Jason Johnson, former president of the Gay and Lesbian Law Association at George Mason University. Joshua Pila, founder of the Disability Rights Group at Georgetown University Law Center, moderated the panel.

Panelists advised attendees to participate with open minds and listen to each other. They spoke to the importance of a solid executive board¹⁶ and annual national conferences. With regards to governance, they recommended majority-vote without quorum requirements, but suggested checks on executive authority. Panelists advised that students in leadership must support each other and set a vision for what they want to accomplish.¹⁷ Panelists identified second year students as the greatest leaders and recommended that first year students shadow second year students. Their organizations elected leadership in the spring and outgoing leaders personally encouraged potential leaders to apply. Where a void in leadership occurred, alumni stepped-in to assist.

Panelists suggested that individual chapter leaders meet with the administration at their schools and get to know everyone in the building.¹⁸ They prioritized gaining the trust of the law school and doing “whatever you need to keep that trust.” Additionally, panelists encouraged inter-group networking. They advocated setting up meetings to introduce the mission of the organization and following up on every contact with an email. Panelists used WestLaw TWEN sites for managing lists and continued correspondence.

¹¹ Participants attended law schools in California, District of Columbia, Florida, Illinois, Iowa, Massachusetts, Michigan, New York, North Carolina, Ohio, Rhode Island, South Dakota, Utah, and Wisconsin.

¹² These identifications represent only the law students in attendance. Five students declined to state.

¹³ Approximately 89% of those in attendance identified with a visible and/or physical disability. This trend is significant since social stigma and self-identification rates vary with the type of disability.

¹⁴ Gary Norman, Jason Johnson, and Julie Morse attended as practitioners.

¹⁵ Transcript of Conference at 6 (January 27, 2007). The phrase “up to you” was repeated four times in five pages of transcript. Transcript of Conference at 6-10 (January 27, 2007).

¹⁶ Example given of four-person board for school organization.

¹⁷ They urged participants to develop a brief mission statement that addresses the core values of the organization.

¹⁸ Panelists later expanded on this point to suggest relationships with 1L professors.

Panelists' praised balance between social activities, advocacy, networking, education, and community service. They suggested making waves, but cautioned that "you catch more bees with honey than with vinegar." Responding to this discussion, a participant recommended collaborative advocacy with shallow escalation. Another participant asked about confidentiality and self-identification concerns unique to disability communities. Panelists suggested open membership and a name that didn't connote identification. They also recommended wide publicity to all prospective students, so identification was not required for information.

On the topic of fundraising, panelists suggested reaching out to law firms, WestLaw, Lexis, and BarBri. They also collected national dues.

D. INTRODUCTIONS

Participants introduced themselves to the room just after 11:00 a.m. on Saturday. In addition to names and schools, students mentioned their relationship to disability organizations at their law schools. Eight students held leadership roles in disability organizations at their law schools, and five expressed an interest in starting an organization.

E. BRAINSTORM OF OBJECTIVES

Jonathan Simeone, a blind staff member of the ABA Commission on Mental and Physical Disability Law, facilitated the initial brainstorm of what the participants wanted the organization to become.

Participants expressed a desire to assist pre-law students in removing unjust barriers to law school matriculation. Multiple students suggested advocating to the Law School Admissions Counsel for the rights of students with disabilities to accommodations on the LSAT. One student developed this idea by proposing a grid that would resemble the EEOC fact sheet of reasonable accommodations for lawyers. Prospective and withdrawn students expressed interest in learning what to disclose in an application. A final student mentioned the need to collect data regarding accommodations at law schools, so applicants can make informed choices.

With regards to current law students, participants stated a desire to educate law school administrations about how to help students with disabilities. Administrators like the Dean of External Affairs and Dean of Students were identified as potential allies in ensuring full accommodation and equal representation. Dean's can also influence faculty hiring to ensure that disability law courses are consistently offered. Since not all administrators are disability-friendly, a student suggested lobbying the U.S. News and World Report to establish a ranking of disability accommodations as an incentive for better performance and a tool for applicants. Students also suggested using accreditation as a moment to start critical conversations about accommodations policy. Another student criticized these last two approaches as potentially engendering distrust and sharp feelings, which might jeopardize Deans' willingness to serve as allies in pressuring the LSDAS.

In addition to work with law school administrators, students sought specific improvements in law school climate and accommodations. Many students experienced hostile climates at their law schools and felt isolated by the risks of self-identification. Visually impaired students noted a need for better screen reading software and electronic textbook distribution by publishers. Since publishers are often unresponsive, students might develop a book-share program for electronic texts.¹⁹ Students also expressed a desire to advocate for use of accessible formats within the law school.²⁰

Additionally, participants focused on the transition from law student to lawyer. Multiple students opined the disconnect between accommodations provided by law schools and accommodations granted by state bar examiners. One suggested creating a companion to the EEOC fact sheet of reasonable accommodations specifically for bar examiners. Participants raised questions of

¹⁹ Each participant would be required to show proof of purchase to avoid copyright infringement.

²⁰ PowerPoint slides were identified as inaccessible for visually impaired students and most .pdf files cannot be read by screen readers.

confidentiality and disclosure in the recruiting context. More specifically, students desired to poll employers for honest perceptions regarding hiring students with disabilities. Students suggested reaching out to law firms and providing guidance on appropriate accommodations for specific disabilities. One student mentioned the desire for an American Lawyer ranking of law firm accommodations practices.

Participants expressed an interest in identifying mentors for each of stages of professional development. Students proposed internal mentoring programs with current members and alumni mentoring. Students also suggested external networking programs for personal, professional, and organizational development.

More generally, a student mentioned speaking on behalf of all law students with disabilities with one voice. A participant expressed a desire for a community across disability. This student described the potential for the national organization to connect all pre-existing organizations and provide a consistent back-bone for local organizations wishing to be affiliated.²¹ Jonathan identified communication as a key concern, so participants could identify compatible accessible formats for working together long-distance. Websites and listservs were mentioned as preferred communication mediums. A participant suggested creating a public relations branch to develop mass media campaigns and spread the word to friendly organizations. Students discussed balance between nurturing alliances and applying political pressure through media—the most aggressive means should not be the first tactic.

When a student questioned the way in which the structure of the conference had been imposed without soliciting input from participants. Emily Hecht explained that a committee of students had designed the agenda. On the point of future leadership, Emily explained, “If the students in the room want to do all the work and organize all the projects, that’s our hope. Our hope is for the group to be independent. It’s not our hope to control and do all of the assignments.”

F. PRACTITIONERS’ PANEL

The Practitioners’ Panel communicated general employment advice from practitioners during the lunch hour. The content of this discussion was recorded on pages 112-52 of the CART transcript. It is not discussed here, since it was not material to the formation of a national organization.

G. STRUCTURE AND GOVERNANCE

1. MISSION STATEMENT

Robert Stein facilitated the plenary discussion of an appropriate mission statement. A student started the conversation by stating the preference for a multi-faceted mission to bring the legal profession into the fullest possible compliance with the spirit and letter of the ADA while framing our work in the broader context of civil rights.²² This student articulated a focus on admissions, outreach, curriculum, intellectual and social communities within the law school, and career development. Another participant suggested focusing on the life span of the study of law from undergraduate to entry into practice. A different student raised a concern that the organization form around a mission of empowering law students with disabilities in order to develop competent attorneys rather than forming around specific issues.

One student suggested reference to empowerment and changing how people perceive disabilities so that they can be a source of pride. This comment later prompted discussion of inclusion of students without disabilities and a desire not to alienate potential allies. Students responded to these concerns by

²¹ This student envisioned a publicly available database of existing disability law organizations.

²² This student later elaborated on her point. “To invest and feel excited and put some fairly scarce resources and energy, I would want to know that there is some mission connected to social justice and that its emphasis would be on disabled people but that it would talk about and deal with and fight for disabled people in a way that connects us across a range of social justice issues in communities...say we’re committed to combating all forms of prejudice including discrimination based on color, race, age, sexual orientation, and veteran status...become an organization that feels more like home for the range of people that are in fact disabled.”

articulating an interest in self-representation by students with disabilities as a focus without excluding allies.

Participants offered additional components and suggested a statement of identification, which a student attempted to incorporate into a single statement: A collaboration of disabled students, professionals, and allies committed to disability education, advocacy, mentoring, and empowerment. A participant raised a concern that this articulation did not sufficiently make explicit the organization's commitment to combating all forms of prejudice and its place in the broader social justice movement. Some people expressed an interest in keeping the mission statement to a single sentence and placing the social justice message in a longer statement of purpose. The proffering student requested at least a reference in the mission to reflect the organization's character and inclusiveness. Further discussion of the mission was delegated to a committee.

2. STRUCTURE

A participant raised a concern that there might be insufficient numbers of self-identifying students on law school campuses to form chapters. This participant suggested a regional model like the ABA. Another student critiqued the ABA regions as being too large for in-person collaboration. She suggested starting with smaller regions focused where the people in the room attended law school. A participant later expressed concern that regional structure not undermine a focus on national consistency and national sharing of resources. An additional student advocated for focusing initial attention on developing a national organization and allowing regions or chapters to develop after a structure is in place to support them.

Ken shared his notes from the morning sessions with the group and suggested four primary foci: pre-law, law school, the bar, and practice. Pre-law included outreach to prospective students, accommodations on the LSAT, and admission to law school. Law school included standardization of accommodations, evaluation and accreditation, and supporting local chapters of students with disabilities. The bar included exam accommodations and mental health barriers to entry. Finally, practice referred to employment opportunities, mentorship, and disability careers. Ken suggested forming a committee around each foci.

Building on the proposed multi-foci structure, another student suggested adding a public relations committee to address image, education, and networking. A student responded that this might fit more appropriately into the role of the executive since the group is starting with a small nucleus. Jonathan proposed a community relations²³ committee that could simultaneously address community needs and show students as smart and capable. Students raised questions as to whether community service should be placed under a preexisting committee or administered locally instead of nationally.

3. LEADERSHIP

Students began the discussion of leadership by expressing the importance of national leadership.²⁴ One student suggested an executive board of five dedicated members and a larger board of representatives from each region. Participants discussed a hierarchy of executive officials and another suggested a president and vice president and then one executive board position for each committee chair. A participant proposed a house of delegates model that would develop policy and accompany a hierarchical executive board in charge of administration. A student built on this proposal by populating the policy-defining group with representatives of various constituencies.²⁵

²³ Jonathan originally proposed the committee as "community service", but the title changed through discussion. Community relations may potentially incorporate the public relations objectives discussed above.

²⁴ Regional leadership, to the extent it develops, should work hand in hand with national leadership, and some more sparsely populated areas will not be conducive to regional structure.

²⁵ Constituencies might include caucuses for people of color, LGBT, psychiatric disorders and other underrepresented populations of students with disabilities.

A student voiced a concern that the group elect leaders for the following year on Sunday.²⁶ One student expressed concern about growing into leadership and student turn-over. He suggested continuing leadership opportunities for alumni, so the organization could benefit from experience.²⁷ A participant responded by proposing a three-year presidential commitment of president-elect, president, and past-president to institutionalize mentoring. The facilitator cautioned that the past president may be too consumed by his/her new job to be engaged. Students also expressed an interest in creating a manual of how to start a chapter in your area.

H. MEMBERSHIP

1. PROSPECTIVE STUDENT DIVISION

An undergraduate student started this discussion with the thought that undergraduates needed to be aware of the organization, but they need not have voting privileges or official membership. Participants worked off the MBLSA model of a prospective student division without voting rights that would explicitly do liaison work.²⁸ Other students expressed hesitation regarding denying voting rights, since issues for prospective students change overtime and the organization must be responsive to these changes.

2. VOTING MEMBERS (LAW STUDENTS ONLY)

The group appeared to reach consensus that voting membership be open to all law students.²⁹ Students who take leave from law school, but plan to return, retain membership.

One student raised a concern that broad school chapters may be more valuable to individual students than regional or national organizations exclusive to disabled students. A participant responded that the regional and national leadership need not be exclusive, but disabled students would be most likely to make the national commitment and the national leadership could be geared towards students with disabilities. Another participant stressed the importance that members feel involved and receive some benefit.³⁰

3. ADVISORY BOARD

The first student to speak suggested that alumni need not be active voting members. Alumni could serve as liaisons or resources if the organization goes dormant and a student wants to pick it back up. A student later elaborated the advisory role to include a guiding hand, oversight, and accountability.

When asked whether a law firm partner would be permitted to join, students responded affirmatively. A participant suggested welcoming help, advice, and counsel from practitioners as honorary or associate members.

4. ORGANIZATIONAL AFFILIATES

Organizational membership was suggested for independent organizations that want to explicitly affiliate with the group. Organizations might contribute time, expertise, and opportunities for co-sponsorship. Undergraduate organizations might also assist in creating the prospective student division.

5. CHAPTER MEMBERSHIP

One student proposed paid chapter memberships. Chapter memberships shift dues paying responsibilities to student bar associations and reduce the challenges inherent in a waiver scheme for individual students. Another student cautioned against imposing a name and structure on existing organizations, and suggested that chapter memberships be postponed until more of a national structure was in place.

²⁶ This student explained that leaders should be elected from those in the room because those students made the effort to be there and the group might languish without leadership.

²⁷ A participant responded that the issues were so important to students that there would always be an ample supply of leaders.

²⁸ Active members might take on prospective students' cases as advocates or serve as a resource.

²⁹ The original proposal was limited to students at ABA accredited schools, but this was deemed unnecessary since the organization would be independent of the ABA.

³⁰ Evaluation of accommodations requests was suggested as a means of conferring benefit.

I. NAME

Discussion of name was delegated to committee to submit three choices to vote by email.

J. FUNDRAISING

Josh Pila initiated the discussion of fundraising by explaining the ABA's intentions for incubation. The ABA intended to incubate the organization for two years with support services and minimal funding.³¹ Josh explained that the group needed to develop its own funding base. Josh placed four options up for discussion: membership fees, law firms, grants, and individual donors.

1. GRANT FUNDING

A couple students spoke favorably about grant funding, but they cautioned about the time-intensity, expertise, and foresight required for most grant processes. They suggested appointing a grant officer who could be thinking a year ahead and following through with all of the deadlines and reports. Tanya offered the assistance of the ABA grants office in instructing students on how to get grants. The ABA's 501(c)(3) status might also be used for grant applications until the organization establishes its own nonprofit status.³²

2. LAW FIRMS

On the topic of law firms, a participant commented that a regional representation in leadership is a key to making productive solicitations of law firms. Another student added that letters must be followed a week later by phone calls, so the task requires a committed group of students. To the extent possible, calls should come from students who have summered at the firms.

3. MEMBERSHIP DUES

The group discussed dues at great length. Some students felt dues were essential to survival—others expressed concerns. The thirty-five in the room should not be tapped since it wouldn't make an appreciable difference. New members might be unlikely to pay dues since they will only attend an event with peer pressure and food. One student thought people might be more likely to sign up if there was a tangible benefit like mentoring relationships.³³ Another student suggested conditioning voting rights on payment of dues.

Students expressed differing opinions on the propriety of dues for inaugural members. Some thought dues should be waived until the group developed status. Others thought dues made people more likely to invest energy. Multiple students argued for an individual socio-economic waiver of dues regardless of the general policy.

Students discussed a variety of alternatives to charging individual students dues. Participants repeated the idea of chapter memberships, since they are funded by the SBA at some schools. A participant suggested the Department of Vocational Rehabilitation, but other participants said they generally did not fund dues.³⁴ One participant proposed asking law firms to match dues.

Eventually the group reached a general consensus that the executive committee could consider dues.

4. INDIVIDUAL DONATIONS

A student recommended that the executive committee assign donation levels and solicit individual donations. Along these lines, one participant mentioned the NALP form disability reporting as a tool for locating lawyers with disabilities to approach.

K. EXECUTIVE COMMITTEE

Before the formal executive committee discussion started, participants expressed the need to define executive benchmarks, accountability, acceptable scope for decisions, and responsibilities.

³¹ After conference expenses, approximately \$10,000 remained for incubation.

³² Tanya recommended seeking independent pro bono counsel to establish non-profit status. Kara mentioned the Nonprofit center at Iowa might be a resource.

³³ Another student expressed the idea that individual advocacy might produce greater incentive for paying dues than regional networking. National advocacy could then be based upon common themes among regions.

³⁴ The Department of Vocational Rehabilitation funds small grants in some states, which might be applied to dues.

Ken facilitated the discussion of executive committee structure. He started the discussion by describing his vision for a five-person executive board supplemented by four or five committee chairs. The positions on the executive board included president, vice president, secretary, treasurer, and president elect. A participant critiqued the titles of secretary and treasurer and suggested three vice presidents instead.³⁵ This suggestion retained the provision for a single president and a president elect on the executive board.

A student expressed concern in highly concentrated leadership, since students with disabilities often have fewer hours in a week and unpredictable health. This student suggested co-leadership arrangements for executive positions to share leadership and provide back-up or fail safe if someone needed to step down.³⁶ In response to the call for a larger board, one participant cautioned that large email chains reduce efficiency and effectiveness and recommended a board of three. In his opinion, the objective was finding a few people who would devote fifteen to twenty hours a week, follow-through on commitments, and have the authority to speak for the group. The proposing student reframed her concern in terms of accessibility for chronic illness.³⁷ “Setting up a structure in which you put a lot of responsibility on a few people, you by definition say that most people with chronic illness should not participate.” This student asked that the potential for co-leadership be available as an accommodation.³⁸

Continuing on the topic of shared leadership as an accommodation, one student suggested constitutional amendments to resolve accessibility issues once the organization was established. The initial proposing student responded that the foundational decisions were vital for communicating inclusiveness. Another student suggested providing students the option to petition for co-leadership. The proposing student pointed out that this model required self-identification. The proposing student instead recommended job-sharing among the executive board so that no one person was singularly responsible for a set of tasks. Other students commented that an additional under-secretary or the chair elect might act to take up the slack for leaders struggling to meet responsibilities.³⁹ A participant proposed incorporating leadership accommodations into the constitution, so that elected leaders would automatically receive necessary accommodations including additional staff. A final participant suggested streaming the meetings and permitting participation through message boards and email.⁴⁰

Multiple students raised the concern for representative leadership. One student suggested that the executive board include members from each region. This student added that as the number of regions increases the executive board might need to expand. Another student suggested that regional leadership would occur naturally without placing regional restrictions on positions. Instead of including regional representation on the executive board, a participant recommended an advisory board of regional leaders.

The group voted to create a presidency and three vice presidents to serve for fourteen months. The vice president of administration would serve the traditional role of secretary. The vice president of finance would have the traditional role of treasurer. The vice president of internal affairs would hold responsibility for membership and communications. The group also resolved to appoint a chair elect,

³⁵ This student suggested Vice President of Administration, Vice President of Finance, and Vice President of External Affairs.

³⁶ A different student objected to this objection and claimed to cancel it out.

³⁷ This student noted that other students with chronic illness had wanted to participate in the conference, but the compressed long days were inaccessible for people with fatigue and pain disorders. Similarly, “setting up a structure in which you put a lot of responsibility on a few people, you by definition say that most people with chronic illness should not participate. You set up a category of disability that isn’t supposed to be in leadership.”

³⁸ One student expressed an opinion that accommodations would not be necessary, since leaders could delegate.

³⁹ One of these students also expressed the idea that a strong executive board should be able to address and represent everyone. He thought it was foolish for someone to assume an executive position if they knew they didn’t have the “competence or capacity”

⁴⁰ This idea was elaborated to call for an accommodations committee comprised of students with as many disabilities as possible to ensure that future events and communications were as accessible as possible.

who would assume the presidency at the end of the fourteen month term. The chair elect role would train for the chair position and assist individual vice presidents as needed based on their schedule or interruptions in their ability to continue those positions. All positions could be shared as co-positions as accommodations required.

III. NOTES FROM THE CONFERENCE: SUNDAY

Brette Steele⁴¹ was asked by the staff of the ABA to facilitate Sunday morning. Immediately before the first session, staff from the ABA approached Brette to express concerns with the course charted on Saturday. In the interest of self-determination, Brette asked that the staff members hold their remarks until students had an opportunity to voice their own concerns. Brette and the staff members reached agreement in the hallway that the ABA could intervene if perceived flaws were not addressed by students in the initial check-in.

A. CHECK-IN

Brette started the first Sunday morning session with a check-in and invited participants to raise lingering concerns. One student expressed concerns with electing officials on Sunday. She perceived that students were not verbalizing some of their thoughts and she wanted everyone to participate without rushing the process. Another student added that group members were just getting to know each other and learning leadership styles, so election would be premature. These students recommended appointing someone to be accountable for administering elections at a later date. A third student disagreed with postponing elections, but offered the compromise of electing an interim board rather than electing officials for fourteen months. Other students raised concerns with losing momentum and accountability, which they agreed an interim board might resolve.

One participant expressed a hesitancy to elect officers when we had yet to define roles. Another participant thought we should prioritize development of a collective understanding. A student requested a back-up plan for remote accomplishment of tasks, since she thought the group might not complete the entire agenda for the conference. Another student expressed the need for short and long term goals.

A student expressed a concern that establishing a structure and 501(c)(3) status should be a priority since it a threshold issue for fundraising. Tanya mentioned that firms had been very receptive to the prospect in the initial fundraising drive regardless of the fact that there wasn't yet a structure in place. Tanya also reiterated that the group could funnel donations through the ABA until it established 501(c)(3).

B. INTERIM BOARD

The group unanimously voted to create an interim board and postpone full-term elections. Following this consensus, students discussed various ideas for term-length and structure. Students floated options of full-term elections in April, May, and the fall. Participants raised concerns that summer elections might reduce participation because of vacations, work schedules, and the tendency for students to check-out over the summer. The group agreed to hold full-term elections in the fall and to appoint an interim board or steering committee to develop the foundation and make executive decisions through consultation with membership until that time.⁴²

The group ultimately agreed to staff the interim board with co-chairs and the chair or co-chair from each committee. A preliminary proposal involved appointing people to the five positions established on Saturday, so the group could experiment with structure and roles before full term elections. A second proposal matched this preliminary executive board with open committees oriented around specific tasks.⁴³

⁴¹ Brette Steele was a graduating 3L at UCLA and the author of this summary.

⁴² A student distinguished steering committees from executive board by articulating that steering committees are structured by task and executive boards are structured by title.

⁴³ This idea built on an earlier suggestion of open collaborations for short term goals: constitution, mission statement, elections.

C. TASKS AND TIMELINE

A student commented that our structure should be based upon the timeline we were setting for our development. Participants identified the following tasks:

Constitution Committee

- Develop a mission statement
- Identify board positions and develop a constitution (including representation)
- Select a name for the organization
- Research structure of and define relationship with the ABA⁴⁴

Administration and Elections

- Organize and administer elections
- Collect information from current 3Ls
- Collect resources from existing disability law student organizations

Finance Committee

- Launch a fundraising campaign
- Finance a national meeting in the fall
- Apply for 501(c)(3) status

Communications Committee

- Create a website
- Identify accessible mediums for communication: electronic forum,⁴⁵ conference calls, listservs, wiki
- Develop a public relations strategy⁴⁶

Executive Responsibilities

- Set short and long-term strategic goals
- Coordinate committee work

D. OPENING FOR MEMBERSHIP

When a participant asked when and how the organization should open for membership, she received varied responses. Many students expressed an interest in prioritizing establishment of organizational foundation over growth. Participants noted that the organization could grow through word of mouth as the organization was forming, but that active mass-marketing would be difficult to sell. One student voiced a concern that the people in the room had demonstrated dedication whereas new members might not be so dedicated. Others students challenged the suggestion that attendance at the conference signified higher levels of dedication than other students who may have faced prior

⁴⁴ There was extensive discussion about the group's relationship with the ABA spanning pages 38-51 of the Sunday transcript. Students expressed an interest in using the lobbying and professional sway of the ABA to implement the group's goals. The ABA staff and chair-persons in the room strongly cautioned against formal affiliation with the ABA. They explained that the ABA would restrict the available stances and slow the process. They also warned of politics within the ABA and requirements for affiliated status. After hearing from the ABA members in the room, the group agreed to table the topic until further information was collected and evaluated.

⁴⁵ The suggested forum included real-time chat, archiving, and digesting into accessible formats.

⁴⁶ An earlier idea referenced an insert in the annual ABA mailing.

commitments or structural barriers. A participant commented that the dedication concern might best be addressed through leadership elections and not a membership screen.

E. ELECTING LEADERSHIP

The group voted on a steering committee structure with seats for the executive (co-)chair and the (co-)chairs of each of the four committees. Five people expressed interest in serving as the executive capacity and all stated a willingness to co-chair. The group voted by raising hands with eyes closed and each participant⁴⁷ Everyone cast two votes and the top vote-getter, Stephanie Enyart, was automatically elected. There was then a run-off election between the second and third vote-getters: Kara Westercamp and Rod Alcidonis. Kara was elected co-chair with Stephanie.

F. COMMITTEE BREAK-OUTS

The facilitator assigned an area of the room to each of the four committees and asked participants to select a committee and meet for twenty minutes to elect leadership and develop a timeline for assigned tasks. After the small-group meetings, Kara and Stephanie facilitated reporting from each of the committee chairs.

The communications committee elected Eugene Skoniet and Ange Fox as co-chairs. The committee identified email as one of the most universally accessible modes of communication. They suggested mass emails and rules of etiquette. One member also envisioned a collection of listservs and message boards, so the executive board and each committee could have their own focused electronic dialogue. Additionally, the committee mentioned placing the constitution on a message board for comment. Their final short-term goal was a press release.

The finance committee elected Matt Lee and [name omitted] as co-chairs. The committee decided to table the discussion of membership fees and prioritize sponsorships from law firms and adaptive technology corporations. They additionally identified Lexis, Westlaw, and the ABA as potential funders. Further in the future, they anticipated applying for grants and establishing 501(c)(3) status.

The administration and elections committee elected Rod Alcidonis as chair. The committee announced that they had decided on a structure of president, president elect, and three vice-presidents who would assume sub-committee responsibilities. Additionally, Rod described committees for pre-law, law school, bar association, and post-law school concerns.

The constitution committee elected Renee as chair. The committee prioritized agreement on a mission statement and name.⁴⁸ Renee mentioned soliciting group input as the committee drafted each article of the constitution. Specific ideas already on the table included delegating the election article to the election committee and developing an advisory board. The committee hoped to send the entire constitution out for group comment by the fourth week.

Stephanie and Kara mentioned that they would be meeting later that afternoon and sending their thoughts to the group via email. Students suggested that all information be shared with the Co-Chairs, so that information could be collated and digested before disbursement to the large group. A participant reminded the group of the importance of information sharing so each committee could act on information in their role.⁴⁹

G. CLOSING REMARKS

Scott LaBarre, Chair of the ABA Commission on Mental and Physical Disability Law, delivered the closing remarks. Scott recommended that the group become an independent organization for the latitude and freedom to act. He shared his own successes at all levels of the profession and suggested

⁴⁷ Everyone participating in the conference with the exception of ABA staff was permitted to vote in the election. Jonathan Simone was also given a vote.

⁴⁸ A two-week timeline was set for the mission statement.

⁴⁹ It was also noted that people should be willing to think and work outside of their role in terms of making personalized solicitations to contacts, etc.

that the organization aim to “allow law students to come together and share resources, help train each other, help encourage each other, so that [they] can explore and succeed at any level of this profession.” He spoke to the under representation of people with disabilities and barriers in the profession. He mentioned that lawyers often do not see disability as a diversity issue and that not enough students with disabilities are becoming lawyers.

H. DEBRIEFING

A hour into the session on Sunday, a student suggested setting the last half-hour aside for debriefing. This student wanted to dialogue about process and the intersection of varying needs and consciousness about what disability means in a group organizing context. Participants raised concerns regarding time, effectiveness, efficiency, and unity. One student recommended having the discussion over the listserve, but another thought this would be too impersonal and requested at least fifteen minutes. Eventually the group agreed that those willing and able to stay after the 12:30 projected close could debrief in a small group and share notes with future leadership.

Approximately five people stayed to debrief the conference. One student’s notes from the conversation included the following recommendations:

- Schedule the work of a conference between 10:00 a.m. and 4:00 p.m. and include fifteen or thirty minute breaks. Schedule longer speakers after business or during dinner.
- Ask caterers for advance menus for students with food allergies. Post ingredients.
- Begin meetings involving any new attendees with a brief or medium-length discussion of communication abilities, comfort zones, respect, and proposed guidelines for communication.⁵⁰
- Hire mediation/facilitation trained facilitators.
- Incorporate regular break-out sessions for both task achievement and check-in with students who do not participate in larger groups.
- Make introductions early and often. Include ice-breakers or community building exercises.
- Establish an accessibility checklist and work through the checklist in event planning. List available accommodations in communications with students.

⁵⁰ Remind group members that individuals process information or make decisions in varying ways, in part based on disabilities, and that our process will likely involve some compromise and adaptation to make sure no one is excluded. Talk about the consequences of silencing, dismissal, or intimidation for folks with some psychiatric disabilities, and for anyone who has often been dismissed or silenced. Create space for those who are not talking.