

LSBA Legal Services for Persons with Disabilities Committee

Thursday, December 2, 2021

Time: 12:00 – 1:00 P.M.

Join Zoom Meeting

<https://us06web.zoom.us/j/89699347135?pwd=YjNzbFA2ekVpUkhvK01TSiVVRT3BUQT09>

Meeting ID: 896 9934 7135

Passcode: 395735

Attendees:

- Elena Perez – *Southeast Louisiana Legal Services* – Co-Chair
- Debra Weinberg – *Disability Rights Louisiana* – Co-Chair
- Garret DeReus – *Attorney at Law*
- Jesse Lind – *CrescentCare Legal Services*
- Derek Warden – *Louisiana Supreme Court*
- Paul Fleming – *Jefferson Parish Public Defender's Office*
- Melanie Bray – *Disability Rights Louisiana*
- Joshua Holmes – *CrescentCare Legal Services*
- Lauren Godshall – *Tulane Law School*
- Nicholas Russell – *Attorney at Law*
- Rubye Noble – *Attorney at Law*
- Parris Taylor – *La. Dept. of Education*

Law Students:

- Jessi Domingue – *Loyola Law School*
- Mallory Knudsen – *Loyola Law School*

LSBA Staff:

- Mariarenee Contreras

Meeting Minutes

1. Welcome & Introductions:

Members were asked to introduce themselves to the committee by placing their names and organizations in the chat box. Longstanding committee members, Lauren Godshall and Garret DeReus, introduced themselves to all our new members and law students.

- **9.30.21 Meeting Minutes:**

Melanie Bray moved to adopt the minutes. Joshua Holmes seconded the motion. The meeting minutes for 9.30.21 were approved and will be posted on the LSPD webpage.

2. Policy/ Legislative Updates

- ***Volunteers are needed to track legislative changes and updates. This would be a great opportunity for attorneys and local law students to collaborate with one another.***

At the last meeting, we discussed the project of tracking and researching policy and legislative issues involving disability rights issues. Our former committee member who would track these changes has now retired, but the committee would like to continue this work to help keep members informed.

Committee Member, Lauren Godshall, volunteered to help with this project. She will be asking Hector Linares at Loyola Law School to see if any law students are interested in collaborating with this project. Hector runs a Special Education law clinic and students are often looking for non- IEP work.

Jessi Dominigue and Mallory Knudsen are both law students at Loyola Law School, as well and may be able to help. Debbie Weinberg asked about whether the Tulane Disability Law was still active. Lauren Godshall stated that she believes the group has not been as active this school year but will help the committee reach out to its student members. Marie reached out to Julia Hamilton who is also a law student at Tulane. She would attend the committee meetings last year and is interested in working with the Committee. Marie will help connect Julia to Lauren Godshall as well.

Debbie will share the Governor's Office for Disability Affairs (GODA) spreadsheet with the subgroup. GODA does a great job of including all state and federal legislative updates together.

3. Justice Index

- **2020 Justice Index Results – Part C&D**
 - Committee Discussion:

*At our last meeting, the Committee talked about the 2020 Justice Index results and using them as a template for new committee initiatives. The Committee focused on issues involving **Design & Planning** and **Training & Support**. At this meeting, the Committee talked about issues involving **Service Delivery** and **Communication**. These might not be issues that the Committee can directly resolve, but providing education and resources is always a great way to help move initiatives forward.*

Access to Sign Language Interpretation: Derek Warden received an email from a Tulane professor that teaches sign language and is hoping to do a lecture series in 2022 that provides educative materials about sign language in courts and how to increase access to interpreters in courts. Derek will share her email to Mariarenee to see how the LSPD committee and the Language Access committee can get involved.

Court Website Accessibility: Derek also pointed out that Judge Schlegel in the 24th J.D.C has been working on developing a court website for every Judicial District Court in the state and may be a great person to reach out. Debbie suggested looking at other court websites (outside of the state) that may have information or be an example of how websites include accessibility features for persons with disabilities.

Website Compliance is also an issue that the Office of Civil Rights (OCR) is looking into. OCR might be willing to provide guidance to local courts on this issue. Paris Taylor shared the WCAG 2.0 compliance website: <https://www.w3.org/WAI/standards-guidelines/wcag/>. The website provides guidelines on how to make websites more accessible for persons with disabilities. This may be a great resource as new court websites start developing.

Paul Fleming suggested reaching out to Judge Schlegel for these initiatives. Judge Schlegel is the current president for the Judges Association and would be an excellent person to have involved with these initiatives. Judges are generally more receptive to hearing from other Judges talk about issues involving court patrons. Elena suggested to create an additionally subcommittee that will specifically work on website accessibility issues. Paul graciously volunteered to be part of this group. Paris has also volunteered to be involved with this group.

If anyone is interested in joining these groups, please let Mariarenee know.

Service Animals Accessibility: Melanie Bray suggested a training for judges on this issue based on previous court experience. Some judges and court personnel are not as familiar with the function and purpose of service animals. Service animals are sometimes denied in local courts because they are confused with drug detecting service dog criminal statutes as the only types of animals allowed in court.

Debbie suggested that this is an issue the Committee can perhaps create a bench card or a similar quick reference on general accessibility and services in the courts for persons with disabilities. There are differences even between emotional support animals and service animals. Education on the difference and the roles each type of animal plays would be beneficial especially when calling in witnesses to testify in court. Children testifying in court is a great example of when emotional support animals are beneficial.

Debbie referenced a presentation on this issue at a previous Together We Can conference. Debbie mentioned she will try to find the training or the materials that were given during that training. This could be a model for an additional training on the topic of service animals.

4. Disability Law CLEs/ Bar Journal Publications

- **Judges LSPD Training**

Mariarenee provided an update about a training for Judges the committee has been working on. The training will be led by Melanie Bray and Derek Warden and will touch on Alternatives for Legal Status Change and the recent Supportive Decision-Making legislative implementation.

Derek helped with getting the Louisiana Supreme Court Justices involved and the Justices have all voted on approving this training for judges. Melanie will be working on a Bench Card for this topic. Melanie has conducted several trainings on Supportive Decision-Making and has worked with the Arc of Louisiana's, Ashley McReynolds, to help format the language for these trainings. Trainings have been conducted for the public to educate on the new legislation, but now Melanie and Arc are shifting to educating members of the legal and medical community. Melanie provided this training at the LSBA's Justice Fridays series and with the ABA. Mariarenee will share the Justice Friday's training recording with the Committee.

Derek suggested having a two-part training for these topics. The first part can focus on general accessibility issues and the second part can be on Supportive-Decision making. More will be discussed at the next planning meeting.

5. Engaging Law Students

- **LSU - Apprenticeship Week on January 5, 2022**

Debbie and DRLA attorney. Jodi Hill will be helping with an interviewing skills training at LSU's apprenticeship week. They will be collaborating with other attorneys specialized with helping children and LEP clients. Debbie and Jodi will be conducting the training on working with clients with disabilities.

The committee would like to do similar law skills trainings at the following law schools. Reaching out to local law school. Lauren mentioned that a combo training was done with Loyola and Tulane, and she would be happy to work on this training again. Elena mentioned that she will reach out to Professor Listach at Southern for this as well.

6. Upcoming Trainings

Debbie mentioned that DRLA is hosting a luncheon series focused on educating the public on various disability related topics. These webinars will be held on the first Thursday of every month through Zoom.

- **NDI: National Disability Institute's "Financial Inclusion, Disability and Race"**
 - Date: Tuesday, December 7, 2021
 - Time: 12:00 – 2:00 P.M. ET
 - Location: Virtual
 - Link: [Financial Inclusion, Disability and Race: A National Convening Registration - Formstack](#)

7. Other Business:

- *Derek Warden shared that his summer CLE for the State Supreme Court focusing on the State Constitutional rights for persons with disabilities was mentioned in the Louisiana Supreme Court's [Fall Issue of De Novo](#).*
- *Debbie also mentioned that the mask mandate case involving the Texas Governor's ban on school mask mandates in Texas is before the 5th Circuit. The decision resulting from this case will ultimately affect decisions in Louisiana.*
- *Derek mentioned that The Law Institute of Louisiana is working with DRLA on changing the sterilization law in Louisiana. A few years ago, DRLA worked on a case where a person who was interdicted was being forced to go through sterilization. The language in the law is pretty broad and allows for people to be interdicted without due process. About two years ago, Derek started writing letters to legislatures and Louisiana's Right to Life, who also picked up the issue, worked on getting a small group of advocates to get the Law Institute to research on this issue. DRLA has been working with the group in providing guidance to help draft new legislation on the issue of sterilization and other related topics.*

8. Adjournment: Next Meeting on Thursday, March 10, 2022, at Noon. This meeting will be a hybrid in-person and virtual meeting. Lunch will be Served.