

**Louisiana State Bar Association's  
Legal Services for Persons with Disabilities Committee  
Meeting Time: August 5, 2024, 12:00 PM**

**Attendees:**

- Blake Allen, Southeast Louisiana Legal Services
- Patsy Bonneau, Attorney
- Catherine Carrier, Galloway Johnson
- Garret DeReus, Attorney
- ***Chris Edmunds, Co-chair***
- Lauren Godshall, Earth Justice
- Joshua Holmes, Crescent Care
- Eva Kalikoff, Bizer & DeReus
- Hector Linares, Loyola University Professor Youth Justice Clinic
- Jesse Lind, Crescent Care
- Caitlin Morgenstern, Louisiana Supreme Court
- Jessica Sawyer, Attorney
- Amber Sheppard, Attorney
- Sarah Stone, Pro Bono Project
- Parris Taylor, Hamilton Sales
- Derek Warden, Louisiana Supreme Court
- ***Debbie Weinberg, Co-chair***

**LSBA Staff:**

- Stephanie Beaugh
- Rebecca Collins
- Monte Mollere

**MEETING MINUTES**

- I. **Welcome & Introductions** – Co-chairs Debra Weinberg and Chris Edmunds welcomed Committee members to the first meeting of the current Bar year.
- II. **Approval of April 4, 2024, Meeting Minutes**—Amber Sheppard moved to approve the minutes, Lauren Godshall seconded, and they were approved without objection.
- III. **2023-24 Committee Initiatives** - The Committee discussed initiatives and projects from the last bar year.
  1. **Training – April 4, 2024, Spring Judges Conference Training – Providing Meaningful Access to Courts for Persons with Disabilities** – Caitlin Morgenstern reported that the Judicial College training was held in one of the bigger sessions, so there was a fair amount of attendance. The judges received it very well, and there was a lot of participation. Judge Saloon from

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Lafayette City Court participated in the presentation as well. There were a lot of questions from judges about how to keep their courts in compliance and it opened a conversation that will hopefully continue.

- 2. Supportive Decision-Making Attorney Bench Card**—Stephanie Beaugh reported that the Interdictions & Less Restrictive Alternatives Bench Card is nearing completion, thanks to Melanie Bray and other advocates. It has been tailored for judges and discusses interdiction procedures and supported decision-making. Melanie and Stephanie will discuss a distribution plan.
  
  - 3. LSBA Bar Journal Article**—Debbie explained that the **October/November Edition of the Louisiana Bar Journal will be themed “Disability Law.”** Debbie emphasized the importance of this representation because a third of the state’s population qualifies as an individual with a disability under the ADA. Stephanie thanked Melanie, Hector, and Amber for their contributions. If any authors or attorneys have artwork they’d like to submit to the Publications Department, contact Stephanie.
- IV. Possible 2024-25 Committee Initiatives** – The Committee discussed potential initiatives and projects for the current Bar year.
- 1. Court Access Policy Statement** - Caitlin explained that last year, the committee updated the LA Supreme Court’s policy statement by adapting plain language and making it more accessible on the website. The judges seem to be interested in having more materials assembled for them. Rebecca and Stephanie will gather interest from LSPD and Accessibility Committees. Members interested in working on accessibility issues can contact Stephanie.
  
  - 2. Disability Assistance Network** – Debbie discussed the Committee’s plan to update DAN. LSBA staff will send out an updated list and instructions for individual attorneys to remove themselves as needed, mainly when their organization is already listed. The list will be cleaned up before the November bar journal because DAN will be advertised for attorneys to sign up.
  
  - 3. Promotion of House Concurrent Resolution 38 Request** –Monte Mollere talked about Resolution 38, which asks the Bar Association to raise awareness around the various options that individuals have, including interdiction, tutorship, supportive decision-making, and other alternatives. This Committee has already been working on this, for example, through the

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bench card and judges' training, but the end-of-year CLE is another opportunity.

4. **Annual E-O-Y Disabilities CLE** - The Committee decided this will be held on Friday, December 13<sup>th</sup>, 2024, at the Bar Association in New Orleans. Potential topics include legal status, barriers for people with disabilities, and public benefits. If anyone has additional ideas, reach out to Rebecca or Stephanie. A subcommittee will likely be put together this fall to plan.

#### 5. Other Ideas

#### V. **Policy, Legal, and Legislative Updates** – Chris Edmunds led the discussion on the following recent updates:

1. [SB 313](#) – Passed and signed into law. This act concerns public money vouchers for students to attend private schools. A particular provision is problematic because it requires a prospective waiver of students' ADA rights. Chris has potential clients who may be filing suits on that.
2. [11<sup>th</sup> Circuit Decision](#) expanding Supreme Court's *Cummings* decision – The court said the reasoning of *Cummings* should also be applied to Title 2 of the ADA, not just Section 504, meaning that there can't be emotional distress damages under Title 2.
3. Chris's suit against the RTA's St. Charles Line to come into full ADA compliance is moving forward. The most recent update is a motion to compel because the RTA refuses to turn over documents. Chris has also agreed, in principle, with the LA High School Athletic Association to change their rules regarding children receiving special education and eligibility for high school athletics.
4. [Act 558](#) – Passed and signed into law. It limits the appropriate documentation for an emotional support animal.
5. DRLA filed a lawsuit against the state to challenge election laws that limit the number of mail-in ballots a person can act as an assistant or witness on. This is problematic for folks who live in homes where one manager may assist many people. It's too close to the election to grant the injunction, but the case will still be there to fight for injunctive relief after the election.
6. Derek mentioned that the Second Circuit ruled that Title 2 of the ADA doesn't aggregate sovereign immunity for bar examiners, so money damages are unavailable in most states.

#### VI. **Other Business** – Committee members gave the following updates:

- Disability Rights is hiring for a staff attorney.
- Crescent Care is hiring for an Immigration Staff Attorney.
- Justice Piper Griffin is looking for a 2025 term clerk.

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- Derek shared that there's an interesting [bar review article](#) about Cummings.

**VII. Adjournment**—Derek moved to adjourn the meeting, and Sarah seconded. The next meeting will be held virtually at noon on October 24, 2024. Rebecca will circulate a calendar invite to Committee Members.