

An ornate, gold-colored frame with intricate floral and scrollwork designs surrounds the central text. The frame is set against a dark blue background.

**D R** Disability Rights  
**L C** Legal Center

# INCLUSION

ACCESS FOR ALL

FALL 2023



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 and their mission to protect and  
 expand the legal rights of  
 those with disabilities.

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## Mission Statement

The mission of the Disability Rights Legal Center is to champion the rights of people with disabilities, including cancer, through education, advocacy and litigation. Through individual and class action court cases, the organization challenges attitudinal and programmatic barriers that maintain discriminatory structures, prevent equal access and keep those with disabilities from full inclusion in society.

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To access this booklet online,  
 scan the QR code with your device  
 or visit [theDRLC.org/FDR2023AdBook](http://theDRLC.org/FDR2023AdBook).

## Tonight's Emcee



DANNY WOODBURN

Danny Woodburn is a veteran of over 30 films and 140 television appearances. Danny advocates for inclusion of people with disabilities, as a speaker, author, teacher, and advisor.

Thanks for sharing this special night with us, for celebrating our victories, and for upholding our shared vision for an inclusive society.

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We warmly thank tonight's supporters, Arthur F. Silbergeld and Mitchell Silberberg & Knupp LLP (MSK).

Tonight's music was provided by Gaku.

Dance performances were by Down For Dance.

American Sign Language (ASL) interpretation was provided by Karinna Gracia and Anndrea Garza at The Sign Language Company.

The Skirball Cultural Center graciously hosted tonight's event.

## Silent Auction

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3. Enter your personal information and payment details and submit.
4. You will then be prompted to verify your device by entering the one-time login code sent to the phone number provided.
5. Next, you will be asked whether you are attending in-person; select the thumbs up icon and then continue.
6. For added security, your registration will also be confirmed through the email address you provided. Open the message with a subject line reading "Thank you for registering!" to find your bidder number and personal access link.
7. Start bidding!



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## Letter from DRLC's Executive Director

Dear Supporters,

We are honored that you have joined us tonight. We owe much of our legacy of nearly 50 years to our shared commitment to the vision for a society where no one is left out or behind. As the nation's oldest disability rights program, we maintain that it is our duty to sharpen our methods, to listen to each other, and to lead with excellence in the work that lies ahead.

For that reason, we are excited to announce that we have welcomed Sylvia Torres-Guillén as DRLC's Director of Litigation. Before joining our team, Sylvia spent decades fighting for civil rights and social, racial, and economic justice as a fearless and tenacious trial lawyer, a federal public defender, California's first Latina General Counsel of the California Agricultural Labor Relations Board, and ACLU of Southern California's Statewide Director of Education Equity. We are grateful for her leadership in this chapter of growth.

We are also pleased to unveil our program, Community Outreach, Resources & Education (CORE). CORE serves as the first point of contact for individuals seeking assistance, manages DRLC's intake line and connects callers with resources and referrals, and provides limited representation. CORE staff work closely with the litigation team to investigate impact cases that may be filed in federal and state court, as well as in administrative forums. CORE also educates the community, conducting community trainings on issues that affect individuals with disabilities, and advocates for those with disabilities. We owe much of this program's success to one of our newest team members, advocate and nine-time Paralympian Candace Cable, whose exclusive interview is featured in this event booklet.

After more than 25 years in operation, DRLC's Cancer Legal Resource Center remains unlike any other program in the country. In service to those affected by cancer, the CLRC offers nationwide webinars, personalized resources, and referrals to our one-of-a-kind panel of attorneys experienced in issues that commonly affect cancer patients and survivors—all available at no cost to those who need it most. In 2023, the CLRC welcomed Staff Attorney Divya Sriharan and launched the pilot of the Legal Self-Help Clinic, a mobile resource that travels to medical centers to provide in-person assistance on site. The Legal Self-Help Clinic connects people with attorneys in real time to answer their questions, equip them with pertinent resources, and apprise them of legal protections they may not know they are entitled to.

These advances in the fight for human rights have been possible because of our community. Tonight, we renew our commitment to the work ahead. To each of you here tonight, to our dedicated Board of Directors, to our tireless staff, thank you for partnering with us to create lasting change in our communities.

Best,



Jordan Kough  
Executive Director, Disability Rights Legal Center



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Thank you to our dedicated staff. Your  
excellent work and commitment to inclusion  
are indispensable to our vision and to our  
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Candace Cable, Director of Community Outreach, Resources & Education

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Divya Sriharan, Staff Attorney

Emily Ajello, Administrative Assistant

## Thank you to all those who served alongside us this year.

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## CLRC Professional Panel

The Cancer Legal Resource Center thanks its Professional Panel members for their service to those affected by cancer.

Since its founding in 1997, the CLRC's multi-faceted approach has reached more than half a million cancer-affected individuals, with an emphasis on those with limited access to legal resources. Today, the CLRC remains the only provider of legal information to any person living with cancer in need of assistance, regardless of income, geographical location, or practice area through its Telephone Assistance Line.

The CLRC relies on volunteer attorneys all over the U.S. who join our Professional Panel, a one-of-a-kind network of generous professionals in almost every practice area, to whom callers to the CLRC's Telephone Assistance Line can be referred. We owe much of our nationwide impact to people like you.

We are grateful for your service.

Lawyers who want to serve people diagnosed with cancer can apply for free to join the CLRC's Professional Panel at the CLRC's website: [thedrlc.org/cancer/about/clrc-professional-panel](https://thedrlc.org/cancer/about/clrc-professional-panel).



# Awardees



## EAGLE MOUNT

Eagle Mount is committed to providing quality adaptive recreation and sport opportunities for people with disabilities and young people impacted by cancer, and to provide support for families of participants. Since 1982, Eagle Mount has focused on celebrating abilities and removing barriers to recreation. Whether horseback riding, skiing, swimming, cycling, climbing, or camping, participants and their families expand their horizons at Eagle Mount through each of Montana's four seasons. Recognized by the Today Show as one of five small U.S. charities that make a big difference, Eagle Mount serves over 1,000 participants per year, with the help of an equal number of volunteers. Learn more at [www.eaglemount.org](http://www.eaglemount.org).



## ELLEN STOHL

Ellen Stohl is an actress, an educational professional, writer, and single mom. Through her work as an actor, model, writer, motivational speaker, and advocate, Ellen has helped individuals with a wide range of disabilities find their own personal identity and purpose by helping them let go of the external social expectations that have kept them trapped in stereotypical caricatures. She was the first woman with a disability to pose for Playboy in July 1987 and has recently appeared in commercials, campaigns, and television shows. She continues to use her work in entertainment as a vehicle to promote positive disability identity. Today, Ellen is the proud single mother of a beautiful 20-year-old girl and a self-actualized woman whose education, experience, and life story have given her unique opportunities and insights into living life fully. She is an adjunct professor at CSUN where she teaches and coordinates the teacher education courses for the Educational Psychology Department and Disability Studies for the Special Education Department. She is the recipient of the 2023 Exceptional Service to Students Award and the 2022 Highly Influential and Sustained Innovation Award.



## ELAINE HALL

Elaine Hall, "Coach E," is an internationally recognized leader in inclusion and belonging. Her groundbreaking theater and film program, The Miracle Project, was profiled in the Emmy-winning HBO documentary Autism: The Musical. Her memoir, *Now I See the Moon*, which is being considered for limited TV series, was the official selection by the United Nations for World Autism Awareness Day in 2011. As one of Hollywood's first Access Coordinators, Elaine has provided consultation for TV and film production companies including Netflix, Amazon, Disney, Hulu, Sony, and others. She is a co-founder of 1IN4 Coalition, which focuses on long-term shifts to increase employment and authentic representation of people with disabilities. She has received numerous awards and has appeared in "Love on the Spectrum" and "As We See It." Elaine has been featured on CNN, CBS, NPR, The New York Times, Los Angeles Times, The Wall Street Journal, and others. Identifying as neurodivergent herself, and as the mother of a non-speaking autistic adult son, she is committed to changing the way the media portrays disability.



## WILDFLOWER

*Wildflower* follows the story of the daughter of two people with disabilities, from early childhood to coming-of-age challenges and, ultimately, high school graduation. The 2022 Hulu film, based on the real-life relationship of director Matt Smukler with his niece, features a stellar cast and crew, many of whom are here tonight. The FDR Dinner is pleased to honor actress Samantha Hyde, director Matt Smukler, and the entire creative team for bringing untold stories like these to life.

# Authors



## CANDACE CABLE

Candace Cable is the Director of DRLC's CORE (Community Outreach, Resources & Education) program. She has developed a diverse and intentional knowledge of community building, advocacy, and education during her nearly 50 years as a full-time wheelchair user, due to a spinal cord injury. Candace's 27-year athletic career included, among many other achievements, nine Paralympic Games, which earned eight gold, two silver, and two bronze medals in three sports. She is the winner of 84 marathons, including six Boston Marathons, and is a U.S. Olympic and Paralympic Hall of Famer. Candace is currently the President of US International Council on Disabilities, a board member for Southern California Olympians and Paralympians Association, and a Commissioner for the City of Los Angeles Mayor's Disability Commission.



## JEREMY CONRAD

Jeremy Conrad, Esq., is a content producer for the DC Bar, where he provides original coverage about membership involvement in local and national issues. His writing appears in "Washington Lawyer" magazine and has been recognized by the Society for Professional Journalists.



## SHELLY ROSENFELD

Shelly Rosenfeld, Esq., is Director of the Disability Rights Legal Center's Cancer Legal Resource Center (CLRC). As Director, Ms. Rosenfeld provides legal services through CLRC's national telephone assistance line to people with cancer-related legal issues, counseling cancer patients, health care professionals, and caregivers. Ms. Rosenfeld's close to 20 legal articles have been featured in a variety of legal publications. Ms. Rosenfeld participates in the Orange County Cancer Coalition, volunteers as a Legislative Ambassador of the American Cancer Society's Cancer Action Network, and serves as Board Member of the Cancer Free Generation, the young professionals division of the Tower Cancer Research Fund. Ms. Rosenfeld was selected as a 2020 recipient of the 40 Under 40 in Cancer Award. Before becoming an attorney, Ms. Rosenfeld worked as a television anchor and reporter for an NBC affiliate in Arizona. She is a member of the State Bar of California, the State Bar of New York, and the District of Columbia Bar.

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5. Next, you will be asked whether you are attending in-person; select the thumbs up icon and then continue.
6. For added security, your registration will also be confirmed through the email address you provided. Open the message with a subject line reading "Thank you for registering!" to find your bidder number and personal access link.
7. Start bidding!



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and congratulates  
all the honorees for  
advancing the cause  
of all people with disabilities.



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## DRLC Court Cases



### DRLC AND KIRKLAND & ELLIS COMBAT CITY OF FULLERTON'S POLICY UNJUSTIFIABLY EXPELLING VEHICULARLY HOUSED RESIDENTS:

Kirkland & Ellis LLP and DRLC filed a lawsuit in December 2022 on behalf of Harry Langenbacher, Frederick Clayton Moon, Jacqueline Danis, Jeanette Hodge, and Housing is a Human Right Orange County (HHROC) against the City of Fullerton. Kirkland and DRLC assert that Chapter 8.46 violates the California Constitution's due process and equal protection clauses, excessive fines clause, the right to travel, Gov. Code Section 11135, and thereby constitutes an unlawful use of public funds under Civil Code Section 526a.

"While Chapter 8.46 is allegedly purposed to 'mitigate the public health and safety concerns,' its overbroad and vague language has resulted in the arbitrary and discriminatory expulsion of Orange County's

most vulnerable residents—the vehicularly housed—a population who needs to rely on their vehicles for safety, storage, transportation, and more. This ordinance has upended lives and caused undue additional trauma to persons who already bear the great weight of homelessness," the lawsuit alleges.

In May 2023, Kirkland & Ellis and DRLC filed a Motion for Preliminary Injunction on behalf of Frederick Clayton Moon, Jacqueline Danis, and Jeanette Hodge requesting the Orange County Superior Court to enjoin the City of Fullerton and the Fullerton Police Department from enforcing Chapter 8.46. After hearing oral argument in June 2023, the Court granted the Motion for Preliminary Injunction, which prohibits the City of Fullerton and Fullerton Police Department from enforcing Chapter 8.46 prior to trial currently set for September 2024.

## FIGHTING THE WORLD'S TOUGHEST DISEASES

Amgen harnesses the best of biology and technology to make people's lives easier, fuller, and longer. We draw upon our deep knowledge of science to push beyond what's known today, reliably inventing powerful therapies to help serve patients, especially those suffering from serious illnesses.

# AMGEN



## Shelly Rosenfeld Eases Legal Burdens of Cancer

by Jeremy Conrad



**“Everyone knows someone who has been affected by cancer,” says Shelly Rosenfeld, director of the Cancer Legal Resource Center (CLRC). Rosenfeld has seen firsthand the ravages of the disease; both her grandfathers passed away from cancer, and her paternal grandmother was a cancer survivor.**

Before becoming a lawyer, Rosenfeld was a television anchor and award-winning reporter for an NBC affiliate in Arizona covering the stories of medical care refugees struggling Americans who had moved to Arizona towns to access affordable medications available over the border in Mexico. During her reporting, Rosenfeld learned about the many problems that accompany a serious illness, from insurance challenges and discrimination by landlords and employers to immigration issues, questions about government benefits, and concerns about estate planning.

“Cancer affects the patient, the survivor, the family member, health care professionals...It touches

upon many areas of the law,” Rosenfeld says.

She decided to return to school, earning her JD from UC Hastings and her LLM from UCLA School of Law. While attending law school, she briefly volunteered with the CLRC, one of the few pro bono organizations committed specifically to the legal issues faced by people affected by cancer.

Following her post-graduate employment as in-house counsel for a production company and studio, as an associate attorney at a big law firm, and as a misdemeanor prosecutor in Los Angeles, Rosenfeld returned to the CLRC as a staff attorney.

## UNIQUE LEGAL ISSUES

The CLRC is a program of the Disability Rights Legal Center, a 501(c)(3) nonprofit founded in 1975 by friends and family of attorney A. Milton Miller, a prominent early California disability rights advocate whose childhood polio impacted his ability to walk. The center continues his work by litigating cases involving discrimination against people with disabilities.

Started in 1997, the CLRC began as a joint project of the Disability Rights Legal Center and Loyola Law School, whose involvement ended in the early 2000s. Instead of offering legal advice or representation, the CLRC provides resources and information to people affected by cancer, connecting them with volunteer Professional Panel attorneys through its cancer legal assistance hotline. The center also holds outreach programs and community activities to educate and support people dealing with cancer.

The CLRC interprets its mandate broadly, seeking to assist a wide range of individuals with an array of legal concerns. "Home insurance, employment, disability insurance, life insurance, government benefits, estate planning, financial resources, family law, immigration, toxic torts, genetic discrimination, landlord-tenant [matters], consumer law...[those are] just some of the issues that are associated with cancer law," Rosenfeld says. "If someone has a legal question and is affected by cancer, they can contact [us]."

Volunteer lawyers from a range of practice areas and jurisdictions can join the CLRC Professional Panel, which provides free half-hour consultations to callers based on their area expertise. Any further arrangement is between the caller and the attorney.

The CLRC has also published materials on

providing legal assistance to those affected by cancer, including the Patient Legal Handbook, which covers issues from diagnosis to survivorship.

## HONORED TO MAKE AN IMPACT

Rosenfeld says that the satisfying nature of her work has sustained her commitment to the organization as she rose to directorship. "I might not have the science background to find a cutting-edge treatment, but there is something I can do to help. It has been a wonderful experience and I'm very thankful," she says.

Rosenfeld also enjoys drawing on her background in journalism. "In fact, I feel like I'm using my journalism skills more than ever in my legal career: my communication skills, my interest in other people, and my desire to inform them clearly," says Rosenfeld. "I also use the skills I learned as an attorney: researching, understanding, and breaking down issues, and then synthesizing legal resources in a way that is useful. My work combines the best aspects of both professions."

To date, Rosenfeld has published close to 20 articles in legal and medical publications, and she frequently appears on podcasts covering topics associated with cancer law.

"It is challenging, but in every challenging moment I remember that I am grateful that I'm able to do something," Rosenfeld says. "That ability to do something to help is a tremendous honor."

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*This article originally appeared in the May/June 2023 issue of Washington Lawyer, the official publication of the District of Columbia Bar. Reprinted with permission.*

View online at <https://washingtonlawyer.dcbbar.org/may-june2023/index.php#/p/42>

**Davis Wright Tremaine  
is proud to support the  
Disability Rights Legal Center  
and its vision to celebrate those  
committed to advancing the  
rights of people with disabilities.**

Hae-Won Min Liao and Wilson Liao  
congratulate the DRLC for  
continuing to champion rights  
for individuals with disabilities!



## DRLC Court Cases, *continued*



### SPECIAL EDUCATION SERVICES SECURED FOR FOSTER YOUTH:

K.M. has been in foster care for most of her life. Like many children with multiple disabilities, she has bounced between homes and school districts, lacking the necessary supports, personnel, and education she deserves for an equal opportunity in life. Instead, she has never received any meaningful education, has never even been fully assessed, and has been in and out of the juvenile justice system.

Thanks to DRLC and co-counsel Hirji & Chau LLP, K.M. has received substantial support, a comprehensive assessment, and a supportive group home placement that we hope serves her needs.

One aspect of K.M.'s case remains – the liability of DCFS under the special education due process system. DRLC has taken the novel approach of attempting to hold DCFS accountable within the special education system – a legal process that DCFS has not been subject to. In 2022, DRLC, with the help of Hirji & Chau and volunteer attorney Lee Gordon, filed a writ in Los Angeles Superior Court that the judge ultimately denied, believing the Children's Court or legislature should instead address the issue.

### ENSURING DEMONSTRATORS' RIGHT TO PROTEST SAFELY IN PORTLAND:

In November 2020 DRLC represented people or their guides who had disabilities asserting that Portland's police failed to acknowledge or consider during protests in response to the systemic violence and killing against black and brown people. Law enforcement's disregard of the rights of people with disabilities resulted in Philip Wolfe, Katalina Durden and Jack Tudela being physically and emotionally abused by law enforcement while protesting. DRLC and co-counsel Rian Peck at the Visible Law Firm filed a Complaint, *Wolfe et al. v. City of Portland et al. 3:20-cv-01882-SI*, against the City of Portland and Multnomah County (law enforcement) arguing law enforcement failed to adequately plan to protect the rights and safety of people with disabilities while exercising their constitutional right to assemble and protest.

The District Court dismissed the, holding that changes in the nature and severity of the protests and changes to state law mooted Plaintiffs' claims. On January 31, 2023, DRLC, Visible and Pillsbury, Winthrop, Shaw, and Pittman, LLC, filed an appeal in the Ninth Circuit. DRLC's attorney, Corrigan Lewis, argued before the Ninth Circuit on August 23, 2023.



## At Home in Community: Creating a culture of inclusion, from the Paralympic Games to the DRLC

by Candace Cable with Emily Maust

*EDITOR'S NOTE: Candace Cable is a nine-time Paralympian, six-time winner of the Boston Marathon, President of the US International Council on Disabilities, and Director of DRLC's CORE (Community Outreach, Resources & Education) program. From her nearly thirty-year sports career to her role as a teacher, leader, and advocate, Candace leads with determination, endless curiosity, and dedication to community-building. Here is her story, as she told it to me.*



**“Access...is going to affect all of our lives, and we need to create this change, this movement, these spaces, these opportunities for everyone. Leave no one behind.”**

whatever direction I wanted. There was this level of freedom that existed for me; because of that, I've never felt a big boundary that I can't do something. I could go in whatever direction I wanted, as long as I was home when the streetlights came on.

There was a little alleyway behind our house. People's yards butted up to that alleyway, and I knew every family on that street. Those homes built these communities. All the neighbors around me, and all their kids, and we'd all run around together playing together, walking to school.

I think that growing up in a community really influenced my trajectory in life. I would have to say my entire life has been about building community, and it's exactly what I'm doing here at the Disability Rights Legal Center. It's building our community connections.

I was born in 1954. I grew up in Southern California as a non-Disabled person, in a family of six, out in West Covina in some of the first tract homes. Thinking back on my formative years, I spent my whole life, until the age of seventeen, in the same house. I had that type of stability — a *Leave It to Beaver* childhood. My mother worked some part-time jobs, and my father was a full-time laborer — he owned roofing companies — all of his life, until his eighties, when he finally got off the roof and closed down his last business.

I had this feeling and knowledge instilled in me by both my parents that I had any opportunity that I wanted to pursue, that I could go in

I saw myself doing everything. I've always been curious. How do other people do things? How does that work? I was always willing to try new things. When I graduated from high school in 1972, I had no idea of pursuing my education further than high school. I was going to get a job. I worked in a fast-food restaurant, then I was a waitress, then a bartender. When some friends said they were moving to South Lake Tahoe and asked if I wanted to join, I just dropped everything and moved up there.

Community, curiosity, and a willingness to try new things are, I think, three things that really helped me begin to define what my life was or where it was going to go. I didn't have an idea of what I wanted to be or when. I thought, "I'll figure it out; I'll be able to find my way in it."

### **CHALLENGING INTERNALIZED STIGMAS**

After my spinal cord injury in 1975 at the age of twenty-one, I lay in the hospital and thought that my life was over. Where did that come from after growing up feeling so valued? I realized that it was a societal overlay of ableism that I fell right into immediately. Ableism is about society placing values on bodies; some bodies are [treated as] more valuable than other bodies, and we don't have to be Disabled to experience ableism. People with disabilities were not considered capable and they weren't considered valuable. We are still up against that in this day and age. I absorbed that message into my being.

For the next year and a half, I believed that I was incapable, and I immediately went into a mindset of denial—I was going to wake up from this. During that time period I was also self-medicating, making my-

self as subdued as possible, due to the physical pain but also the emotional and spiritual pain. I could have seriously hurt myself more, accidentally, because I was just trying to escape, and I didn't have the coping mechanisms. At the age of twenty-one, who does? I didn't know how to deal with this. Everything I ever knew about myself, I was being told, didn't exist anymore.

And the opportunity for me to wheel around in my wheelchair wherever I wanted to go didn't exist. I would be wheeling along a sidewalk and there were no curb cuts, so I would have to look for a driveway to be able to get off the sidewalk to cross the street, wheel in the street for a while, and look for another driveway to be able to get back up on the sidewalk. Oftentimes I would arrive at a place of business, and there would be no access in the front of the restaurant for someone who uses a wheelchair, but maybe there was access through the back, through the kitchen, which we still experience today.

That lack of access is not just on a physical level, but also on an attitudinal and systemic level because non-Disabled people don't see themselves as needing that access. But the truth is, should we live long enough, we will all experience some type of disability in our lives, and we will need these things. Getting that message out to the non-Disabled world has become part of my life.

I decided to wake up and not wait for the dream to end, but to take control and say, "I don't want to do this anymore with my life; I want to do something else." And then I put myself in therapy. In individual and group therapy, I was getting the support I needed to redefine who I could be. I also needed to come up with new ideas of how I was going to deal with this type of exclusion that existed in the world, on my terms. I truly believe that I was able to

flip that script because of the communities that helped me; I had my family and friends that rallied around me the entire time.

Being able to create community on so many different levels is really the saving grace for so many people. We have some wonderful organizations here in Los Angeles that go in as soon as they hear about someone who's had some type of trauma that has changed their life, and they make available programs for people with disabilities to come together in community and participate in something. Whether it's shared play or shared learning or shared employment, they create this community, which is and always has been the essential part of my healing, and also my feeling of connectedness.

### **NEW HORIZONS AT LONG BEACH STATE**

The world was redefining me; I wanted to redefine myself. The world was telling me, "There is no place for you, no way for you to exist, no job for you to do." That was the message I was getting after my spinal cord injury. When I went to therapy and gained more tools to push back on the world's image of myself, there was a suggestion made that I should go to college.

In my very first semester at Long Beach State, I got an apartment and picked all my classes, and then realized that there was an upper and lower campus. I had picked classes that required me to switch constantly between upper and lower campus. I was exhausted just trying to get to class in my manual wheelchair.

I just wanted some support and resources, but what I found at Disabled Student Services was my first community of people with disabilities. Some were Deaf, some used power chairs, some had had ampu-

tations—all of us wanted to be able to use the classroom on an equitable basis as a non-Disabled student. In my biology lab, the tables were set up high so everyone who didn't use a wheelchair could stand. But I was eye level with the frog I was dissecting, smelling the formaldehyde. Disabled Student Services helped me get a table that was the right height. This was before the Americans with Disabilities Act (ADA) of 1990 that helps ensure that classes are set up in an equitable way.

CSULB [California State University, Long Beach] made me realize that one of my purposes in life is to be a teacher. In the past, I didn't think I ever had things to teach people, but having the experience of using a wheelchair for mobility at a time when people using wheelchairs for mobility weren't accessing the entire world meant that I was going to have to teach myself, and I was going to have to work with other people to figure it out, and I was probably going to have to teach people how to make it work for me.

At first, I thought I wanted to be an attorney. I was fixating on a glorious end result. I wanted to change the world, because of how excluded I was. I wanted to be included. But [political science] classes taught me that I didn't want to be an attorney. Instead, for the first time, I wanted to learn more about how my body worked.

### **FINDING, AND MAKING, PLACES TO BELONG**

Growing up, I was not an athlete at all. My sister Kelly and my brother Keith were the athletes in the family, and I was the cheerleader. Athletics felt like confrontation, and I did not enjoy the confrontation.

Some of the other students in Disabled Student Services were getting involved in

wheelchair tennis, wheelchair basketball, track and field, and swimming. The first thing that I got involved with was swimming because I was still feeling a lot of self-consciousness about using a wheelchair and the way people stared at me. People weren't used to seeing folks with disabilities, and, because my disability is so visible, because I use a wheelchair, they stared. But once I was in the pool, nobody knew I had a disability.

I inadvertently signed up for the swim team. The coach, John Urbanchek, who became a very celebrated, successful swim coach for the U.S., was coaching at CSULB, and here I was, this Disabled young woman sitting on her wheelchair on the pool deck thinking I had signed up for swim class, saying, "Teach me how to swim."

He said, "You could be part of this team." I learned swim strokes, worked out with the team, and started competing with the team. If they swam 100 meters, I would swim fifty. It was really the very first feeling of true inclusivity, that someone non-Disabled said to me, "Come on, we'll make space for you, we'll figure it out."

I didn't have that feeling of confrontation that I'd experienced before in sports. I didn't think, "I'm better than this person," though I did feel at different times in my life that I didn't know where I fit. Sports helped me begin to understand where I fit. It helped me figure that out. I found places to fit.

### CHANCE MEETING LAUNCHES PARALYMPIC CAREER

At a regional swimming competition here in California, Barbara Chambers who coached track at San Jose State, came up to me and said she thought I could be good at track, so I jumped in the racing chair, which had four wheels and was very similar to my dai-

ly wheelchair at the time, because modifications hadn't changed them much yet. She started the timer, and I went around the track as fast as I could and finished within seconds of the 400-meter national record. She offered to be my coach.

Swimming felt very singular; I really wanted to be with other people. I tried wheelchair tennis and wheelchair basketball, and I kept learning new things about myself. Wheelchair racing had just been invented, and some friends of mine took their wheelchairs and some modified equipment that they had been working on, created some racing chairs, and gave me one. That began my trajectory in not just wheelchair racing but also my Paralympic career.

Road racing had wheelers and runners start on the same line, cross the same finish line. I was accessing the same course a little differently because I was using a wheelchair, but we were crossing the same start line, doing the same course, and then crossing the same finish line. This feeling of inclusion enveloped me. I really liked that, and I wanted more. I decided eventually to give up my university career at Long Beach State to move to the Northern California area so that I could work with Barbara full-time. Many years later, after nine Paralympic Games, CSULB awarded me an honorary degree in physical education.

### A PIONEER IN WHEELCHAIR RACING

In the very beginning of my road racing career I was realizing, as we were developing the equipment for wheelchair racing, that we really didn't have a place in the road racing space—not in regional, national, or international competitions. A lot of people, including me, wanted to be a part of this road racing phenomenon, which became huge in the eighties. Hundreds of millions

of people were running in races from a mile all the way up to a marathon and beyond, and they were doing it on roads.

Wheelchair users really didn't have divisions in running races. A group of us got together and created the International Wheelchair Road Racing Club. We developed guidelines on how to integrate a wheelchair division into a running race. We began to travel all around the U.S. nonstop to meet with race directors and help them create a wheelchair division using our guidelines. We help them develop the start, give them ideas on the terrain. How many minutes in advance do wheelchair racers need to start? How do press conferences include us? How do you structure prize money? There was so much money to be made in road racing, but none of it was available to people in the wheelchair division until we fought for equal pay.

I really began to develop my advocacy chops. I learned at that time not just how to advocate for the needs of the group but also how to advocate for myself.

### DISPELLING DISABILITY MYTHS

I felt sometimes like I was forced into advocacy, not just through sports but through living my life. I'm a teacher just being out in the world. When I'm grocery shopping, people will stop me to say, "It's so amazing that you're here shopping." When I ask, "Why do you think this is amazing?" They give some iteration of, "Well, because Disabled people don't do anything." I'm dispelling that myth. Just buying my groceries is a statement that, no, Disabled people can do a lot of different things; we deserve the opportunities to do them.

Until the middle of the twentieth century, the world wasn't built to include people with disabilities. We were either institution-

alized or destroyed. We didn't start coming out until the sixties, seventies, and eighties. My first Paralympic Games were in 1980, when there was an idea that the Paralympic Games would follow the Olympic Games in cities and venues. Those 1980 Games were to be held in the Soviet Union in Moscow, but the Soviets said they didn't have any Disabled people in the Soviet Union, so they weren't going to hold the Paralympic Games. The Games were held in Holland instead.

Imagine that: One of the largest countries in the world reports that they didn't have any Disabled people. That's how much we were being denied access in the world. The world was saying there was no place for Disabled people.

### SPORTS: AN ADVOCACY PLATFORM

Sports didn't just teach me how to advocate; it also created this platform that I can use to open the door for conversations. It leads with friendliness and creates connection. Then I can talk about really important things: How do we develop more access? How do we change people's attitudes from belief that disability is a bad thing to understanding that disability is a human life experience we're all going to have? Access isn't something for those people "over there"; it's something that is going to affect all of our lives, and we need to create this change, this movement, these spaces, these opportunities for everyone. Leave no one behind.

From my perspective, one of the foundational pieces of what it is to be human is to be able to choose. And for Disabled people, most of us have not had choice. That's why I am so grateful for the trajectory of my life and the community that I built in the very beginning, at school, university, sports, and the community of people with disabilities that I became a part of—because I learned



how to advocate. I learned how to communicate. I learned how to read a situation. In sports, we're constantly trying to read what is happening next, so we can prepare for what's around the corner. Then to have been able to transcend sports, to flip what I've learned into education, teaching community, learning from other folks and advocating impactful change that leaves no one behind.

As my life continues on, I now have this opportunity to work within DRLC and CLRC's programming to take it to the next level.

### **CREATING OPPORTUNITY AT THE DISABILITY RIGHTS LEGAL CENTER**

I'm grateful and appreciative to be in this position and working with the people that I'm working with here at the Disability Rights Legal Center, as well as the Cancer Legal Rights Center, because I'm able to bring all of my past forward and use every bit of it, and then learn so much more. I've never had the opportunity to work in a legal space and really understand our protections and our rights under the Americans with Disabilities Act and other laws that are in place for the protections of people with disabilities.

What we're really doing is creating more opportunities for Disabled people to choose where they want to go. This is often by understanding the laws that protect us and our responsibilities around that. How do we come together and advocate for that change?

We still have much change that needs to be made. Going into my sixty-ninth year, I have seen in my life that over and over that Disabled people don't have choices, we don't have access to every opportunity. That needs to change.

I have seen a lot of people get stuck in a

place of scarcity, because that's what the world has told us. We have been told that we're not capable, that we don't have the skills, that we don't go there. All of those things create fear, because we're afraid to lose what we already have. We stick with the status quo.

Hundreds of thousands of people with disabilities in the world are changing that. I'm hoping that with the work that we do at the Disability Rights Legal Center, with Community Outreach, Resources & Education (CORE) and in collaboration with other organizations, we are illuminating that power, shining light onto that power of the laws that protect us, of our responsibilities, and of creating opportunities to make choices, as we all express our needs.

My sports platform taught me those things. It taught me to advocate for myself. It taught me to advocate for and with others. It taught me to realize that I should have access to every opportunity like this. Why not? Why shouldn't I?

It's because of the societal stigmas and biases that exist in all of us, just like the ones I believed, lying in the hospital in a heavy, weighted blanket that fell on top of me, telling me, "Your life is over because you are Disabled." And it wasn't.

It wasn't true, but it is what society believed. Still in this country, that belief is alive and kicking, and we need to kick it out the door. Write that down.

## WORKPLACE RIGHTS ATTORNEYS:

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## DRLC Court Cases, *continued*



### NINTH CIRCUIT RULES “CERTIFICATION” OF SERVICE DOGS NOT REQUIRED UNDER LAW IN PRECEDENT-SETTING CASE:

In DRLC’s precedent-setting lawsuit, *C.L. v. Del Amo Hospital*, the Ninth Circuit Court of Appeals ruled that the formal “certification” of service dogs is not required under law.

Originally filed in 2018 in the U.S. District Court, Central District of California, the lawsuit alleges that Del Amo Hospital of Torrance, California, improperly prevented C.L., who trained and who relies on her service dog Aspen to work and live independently, from bringing Aspen with her during inpatient treatment and failed to adhere to federal and state laws that mandate service dogs be permitted to accompany their handlers to all places where the public may go, including hospitals.

In 2021, DRLC won its first appeal when the Ninth Circuit Court of Appeals ruled in favor of C.L., overturning a 2019 judgment that service dogs must be formally “certified.”

Attorney Celia McGuinness of California’s Derby, McGuinness & Goldsmith LLP served as co-counsel in this case, and Munger Tolles & Olson served as counsel on the amicus curiae brief in support of C.L. and various national disability rights groups.

### DRLC AND MUNGER TOLLES SECURE \$400,000 SETTLEMENT FOR MEDICAL STUDENT WITH LEARNING DISABILITIES:

Though prepared to take the case through a federal jury trial, DRLC attorneys and Munger, Tolles & Olson LLP secured a \$400,000 judgment on behalf of Lindsay Rogers, a student with learning disabilities who had been accommodated previously by other institutions, but whom Western University of Health Sciences in Pomona, California, had failed, causing her to withdraw from school. The lawsuit alleged that Rogers experienced numerous failures by the university to provide disability accommodations that she had received at other academic institutions. Rogers intended to receive a doctorate in osteopathy to help provide medical care in poor and rural communities.

Finally, after a successful trip to the Ninth Circuit Court of Appeals and back, Ms. Rogers now has the financial breathing room to pursue a doctorate in psychology.

“I am grateful to the attorneys at DRLC and Munger Tolles for their work on my behalf over these many years. Nothing can ever make whole what I went through,” said Ms. Rogers, “but I am very pleased with the result.”

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**PATIENT LEGAL HANDBOOK**

INSTRUCTIVO LEGAL DEL PACIENTE

This handbook is a resource for people affected by cancer and provides valuable information about cancer-related legal issues from diagnosis through survivorship.

Este instructivo es un recurso para personas afectadas por el cáncer y proporciona información valiosa sobre las cuestiones legales relacionadas con el cáncer, desde el diagnóstico hasta la sobrevivencia.



[theCLRC.org](http://theCLRC.org)



## The Case for the ABA and the Cancer Legal Resource Center's Collaboration

by Shelly Rosenfeld



**“CLRC provides important information and resources to help individuals work through legal issues related to their cancer treatment.”**

The American Bar Association (ABA) is an organization that brings attorneys together, but it also has the capacity to enhance involvement in a larger community. One example is the ABA's collaboration with the Cancer Legal Resource

Center (CLRC), which provides free legal resources to people affected by cancer nationwide. The CLRC is a program of the 501(c)(3) non-profit, the Disability Rights Legal Center.

The CLRC is actively involved in the ABA's Cancer Advocacy Interest Group, which was previously named the Breast Cancer Interest Group. The CLRC provides information and education about cancer-related legal issues to the public through its national telephone assistance line or online intake form. The CLRC also conducts national education and outreach programs for community groups, employers, and healthcare professionals and is actively involved in community activities to raise public awareness of cancer-related legal and public policy issues.

CLRC provides important information and resources to help individuals work through legal issues related to their cancer treatment and its cost—this service is free and all patient information is kept confidential. However, it does not provide direct legal advice or representation, so when callers require legal advice or direct advocacy to resolve concerns, CLRC refers them to attorneys or other professionals on its Professional Panel who practice in their geographic area and have expertise in the area of inquiry.

To help as many of these patients as possible, the CLRC seeks attorneys barred in any state with experience in a wide range of legal disciplines, including (but not limited to) employment, insurance, estate planning, government benefits, medical malpractice, consumer rights, and family law, who can provide a critical service for people with cancer and who are willing to employ their legal expertise to that end. Please join our efforts! If you are interested in joining the CLRC's Professional Panel, please complete the application form: <https://thedrlc.org/cancer/professional-panel-application>.

A Panel member's initial commitment is a limited one: The legal professional agrees

to provide a CLRC caller with a minimum of a 30-minute pro bono consultation, either in person or on the telephone. Any further representation (and fees charged, if any) are up to the Panel member and the referred CLRC caller. Referrals are assigned based on subject matter with consideration to the nature of the caller's case and geographic location. Lawyers tend to look for more satisfaction in their careers, and the Professional Panel is a great way to give back in an impactful way.

If you have any friends or colleagues who would be interested in serving the needs of those affected by cancer by joining the Professional Panel, please don't hesitate to send them our way. We look forward to working with you in ensuring that cancer patients and their families can understand their rights and take action to protect them as necessary.

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*This article was first published in the American Bar Association's (ABA) Health eSource on February 23, 2023. It is reprinted here with minor updates with permission. View the original article at [https://www.americanbar.org/groups/health\\_law/publications/aba\\_health\\_esource/2022-2023/february-2023/the-case-for-the-aba-and-the-cancer-legal-resource-centers-collaboration](https://www.americanbar.org/groups/health_law/publications/aba_health_esource/2022-2023/february-2023/the-case-for-the-aba-and-the-cancer-legal-resource-centers-collaboration).*



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and their mission to champion  
the civil rights of people  
with disabilities through  
education, advocacy and litigation

## DRLC Court Cases, *continued*



### GRADUATE STUDENT WITH PSYCHIATRIC DISABILITY RECEIVES PRE-LITIGATION SETTLEMENT:

Via a pre-litigation demand letter, DRLC Senior Staff Attorney Corrigan Lewis secured a settlement for graduate social work student Maeve Campbell against the California State University Board of Trustees. Ms. Campbell had been well on her way to completing her graduate degree when she was derailed by one of her professors who refused to accommodate her psychiatric disability. While others in her program were supportive, the professor's refusal to allow a talented candidate to complete their course on a modified timeline, causing Ms. Campbell to withdraw and later re-enroll to complete her degree. The delay cost her thousands of dollars in lost tuition and denied her an opportunity to pursue a social work position she otherwise would have obtained. The agreement has fully compensated Ms. Campbell for the lost opportunity and significant emotional distress, and she is now focusing where she should be – on her social work career.

### DRLC RIGHTING WRONGS BY SCHOOL DISTRICTS WHO LEAVE STUDENTS WITH DISABILITIES BEHIND:

DRLC secured a host of much-needed assessments and services for a Victorville high school student, Jesus M., who does not speak, who had never been assessed for assistive technology, and who had not received meaningful education in years. Without proper support, he was isolated at home, not attending school, while his school district did little about it. Once DRLC Special Ed Paralegal Marcy McCall, Chris Knauf, and co-counsel Elizabeth Eubanks of Rios Eubanks LLC filed a due process complaint, the parties reached agreement on a comprehensive slate of assessments and services. Jesus M. is now using an augmentative communication device, attending school with properly trained aides, and looking forward to working in the restaurant industry.

Michael & Christine Min

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to further this cause!*

**Our Values Drive Client Outcomes**

## DRLC Court Cases, *continued*



### DRLC HOLDS CALIFORNIA STATE UNIVERSITY ACCOUNTABLE FOR DEAF ACCESS:

Gamliel “Ken” Datugan enrolled at California State University, Los Angeles (CSULA) to become a college counselor to assist students with disabilities and, particularly, Deaf students like him. To his horror, Ken experienced professors who refused to give him equal access by providing captioned videos or real-time transcription.

Filed by Trevor Finneman and DRLC, the lawsuit was settled in 2020. The settlement compensated Ken for the discrimination he experienced and, more importantly to him, required the university to properly train all staff members working with students with disabilities, including all professors who have a Deaf student enrolled in their courses. DRLC continues to monitor the annual training required at CSULA to help ensure all students, regardless of disability, access effective communication and a level playing field.

### DRLC BRINGS ACCESSIBILITY TO APP-BASED BUS COMPANY:

DRLC’s client F.S. uses a wheelchair and utilizes an app-based service to affordably travel by bus to visit family and friends. On numerous occasions he encountered inaccessible buses, inoperable wheelchair lifts, and untrained drivers.

DRLC and co-counsel Stroock & Stroock & Lavan have settled claims against the app and one of its bus contractors to ensure that their fleet operates in accordance with the ADA and that drivers are properly trained to use and maintain the bus wheelchair lifts. DRLC’s client received a significant financial settlement in addition to new policies, contract provisions, and training provisions. DRLC is currently pursuing a default judgment against a second bus contractor, and we remain committed to accessible transportation for our clients.

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Attorneys, Staff and Board  
of the Disability Rights Legal Center  
for representing and advocating for  
those in our community whose  
rights must be protected.

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ARTHUR F. SILBERGELD

**CONGRATULATIONS TO TONIGHT'S HONOREES.**





**D** **R** Disability Rights  
**L** **C** Legal Center

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