

# IMPACTFUL INTERACTIONS:

October 2, 2020

8:30 AM - 3:50 PM

CLE: 6 Substantive Credits

Presented Live via Zoom

Pennsylvania Attorney ID Number Required

## AUTISM SPECTRUM DISORDER AND THE LEGAL SYSTEM

## Agenda

- 8:30 - 8:45 Dean's Welcome and Introduction
- 8:45 - 10:00 **Panel One: *Reconciling the Treatment of ASD in the Criminal Justice System***
- Colleen Berryessa, PhD, *she/her*, Assistant Professor, Rutgers University, School of Criminal Justice
  - Dianah Msipa, LLD candidate, LLM, LPC, LLB, *she/her*, Legal Researcher, Inclusion International
  - Samantha Crane, JD, *she/her*, Legal Director, Autistic Self Advocacy Network
- 10:00 -10:15 Break
- 10:15 -11:00 **Keynote Address: *Transition Justice?: How Adult Students with Intellectual and Cognitive Disabilities Fall Through the IDEA's Cracks***
- Michael Ashley Stein, PhD, JD, MA, *he/his*, Visiting Professor of Law, Harvard Law School, Co-Founder & Executive Director, Harvard Law School Project on Disability
  - Hezzy Smith, JD, *he/him*, Research Associate, Harvard Law School Project on Disability
- 11:15 -12:30 **Panel Two: *Unequal Equality: How our Education System is Failing Americans with ASD***
- Darlene Hemerka, JD, *she/her*, Staff Attorney, The Public Interest Law Center
  - Lewis Bossing, JD, *he/his*, Senior Staff Attorney, Bazelon Center for Mental Health Law
  - Terry Jean Seligmann, JD, *she/her*, Emerita Professor of Law, Drexel University's Thomas R. Kline School of Law
  - Jasmine E. Harris, JD, *she/her*, Professor of Law, University of California – Davis, School of Law
- 12:30 -1:00 Lunch
- 1:00 - 1:30 **Presentation: *The Changing Medicaid Landscape for Autistic Individuals***
- Robert Field, PhD, JD, MPH, *he/his*, Professor of Law, Drexel University's Thomas R. Kline School of Law
  - Lindsay Shea, MS, DrPH, *she/her*, Director, Policy and Analytics Center, Associate Professor, A.J. Drexel Autism Institute
- 1:30 - 1:45 Break
- 1:45 - 3:00 **Panel Three: *Navigating a Minefield: ASD and the American Healthcare System***
- Victoria M. Rodríguez-Roldán, JD, *she/her*, Senior Policy Manager, AIDS United
  - Derek S. Green, JD, *he/his*, Philadelphia City Councilmember At-Large
  - Stephanie Keeney Parks, PhD Candidate, MA, *she/her*, University of California – Los Angeles, Department of Anthropology
- 3:00 - 3:45 **Guest Lecture**
- Lydia X.Z. Brown, JD, *they/them*, Director of Policy, Advocacy, & External Affairs at the Autistic Women and Nonbinary Network; Adjunct Lecturer of Disability Studies at Georgetown University, Department of English



## Keynote Address



**Michael Ashley Stein**, PhD, JD, MA, *he/his*, Visiting Professor of Law, Harvard Law School

Michael Ashley Stein is the co-founder and Executive Director of the Harvard Law School Project on Disability. He has been a Visiting Professor at Harvard Law School since 2005. Considered one of the world's leading experts on disability law and policy, Stein participated in drafting the U.N. Convention on the Rights of Persons with Disabilities and advises a number of U.N. bodies and national human rights institutions. He also works with disabled peoples' organizations and non-governmental organizations around the world and actively consults with governments on their disability laws and policies. His work has brought landmark disability rights litigation globally. Stein has received numerous awards in recognition of his transformative work, including the inaugural Morton E. Ruderman Prize for Inclusion; the inaugural Henry Viscardi Achievement Award; and the ABA Paul G. Hearne Award. His authoritative and path-breaking scholarship has been published worldwide by leading journals and academic presses and has been supported by fellowships and awards from the American Council of Learned Societies, the National Endowment for the Humanities, and the National Institute on Disability Rehabilitation and Research, amongst others.

Stein holds an Extraordinary Professorship at the University of Pretoria's Centre for Human Rights, is a visiting professor at the Free University of Amsterdam and teaches at the Harvard Kennedy School. He earned a juris doctorate from Harvard Law School (where he became the first known person with a disability to be a member of the *Harvard Law Review*), and a doctorate from Cambridge University. Stein previously was a Professor (and Cabell Professor) at William & Mary Law School, taught at New York University School of Law and Stanford Law School, and was appointed by President Obama to the United States Holocaust Memorial Council.

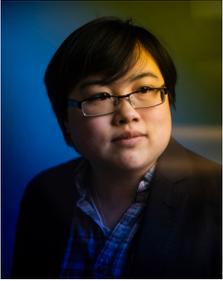


**Hezzy Smith**, JD, *he/his*, Research Associate, Harvard Law School Project on Disability (HPOD)

Hezzy Smith is a trilingual attorney, a proud sibling, and an HPOD Research Associate responsible for much of HPOD's self-advocacy programming. He has worked closely with self-advocacy and disabled peoples' organizations both in the United States and abroad to advocate, research, and produce awareness-raising materials. His Spanish, English, and Bangla language materials have shaped disability rights strategic litigation and important decisions by national and regional courts, and his disability rights scholarship has appeared in collections published by Cambridge University Press and Oxford University Press, as well as both U.S. and international law reviews.



## Guest Lecturer



**Lydia X.Z. Brown**, JD, *they/them*, Policy Counsel – Privacy and Data at Center for Democracy and Technology; Director of Policy, Advocacy, & External Affairs at the Autistic Women and Nonbinary Network; Adjunct Lecturer of Disability Studies at Georgetown University, Department of English

Lydia X. Z. Brown is a disability justice advocate, organizer, educator, attorney, strategist, and writer whose work has largely focused on violence against multiply-marginalized disabled people, especially institutionalization, incarceration, and policing. They have worked to advance transformative change through organizing in the streets, writing legislation, conducting anti-ableism workshops, testifying at regulatory and policy hearings, and disrupting institutional complacency everywhere from the academy to state agencies and the nonprofit-industrial complex. Brown co-leads the project on disability rights and algorithmic fairness at the Institute for Technology Law and Policy at Georgetown University Law Center, teaches for Georgetown University's Disability Studies Program through the Department of English, and supports the Autistic Women and Nonbinary Network's (AWN) public policy advocacy. Additionally, Brown founded and directs the Fund for Community Reparations for Autistic People of Color's Interdependence, Survival, and Empowerment, which provides direct support, mutual aid, and community reparations to autistic people of color. Brown is also co-editor and visionary behind *All the Weight of Our Dreams*, the first-ever anthology of writings and artwork by autistic people of color and otherwise negatively racialized autistic people, published by AWN. Brown graduated from Northeastern University School of Law as a Public Interest Law Scholar.



## Panel One: *Reconciling the Treatment of ASD in the Criminal Justice System*



**Colleen Berryessa**, PhD, *she/her*, Assistant Professor, Rutgers University, School of Criminal Justice

Colleen Berryessa joined the faculty in the School of Criminal Justice at Rutgers University in 2018. Her research, utilizing both quantitative and qualitative methods, examines discretion in the criminal justice system and how it may affect responses to criminal offending, specifically related to courts and sentencing. She particularly focuses on how perceptions, attitudes, psychological phenomena, and social contexts affect the justice process and legal decision-making. Berryessa received her doctorate in Criminology from the University of Pennsylvania in 2018. Before graduate school, she graduated from Harvard University with a bachelor's degree in Government and Mind, Brain, and Behavior, and she served as a CIRGE research fellow at Stanford University.



**Dianah Msipa**, LLM, LPC, LLB, *she/her*, Legal Researcher, Inclusion International

Dianah Msipa is a Zimbabwean female lawyer based in Pretoria, South Africa. She is a Programme officer in the Disability Rights Unit at the Centre for Human Rights, University of Pretoria. Msipa has a master of laws degree from McGill University in Canada, a post-graduate diploma in legal practice from Northumbria University in the United Kingdom, and a bachelor of laws degree from Newcastle University in the United Kingdom. She is currently completing a doctor of laws degree at the Faculty of Law, University of Pretoria.

Msipa began her legal career as a criminal prosecutor in her home country of Zimbabwe during which time she discovered her passion for human rights, specifically the rights of persons with disabilities. She has done work in various countries including South Africa, Zambia, Lesotho, Malawi, Zanzibar, Kenya, Uganda, Rwanda, Namibia, Botswana and further afield in Indonesia. Msipa also serves on the advisory panel on the Autism and Criminal Justice Project run by the AJ Drexel Autism Institute at Drexel University. She is a member of the Access to Justice Knowledge Hub for Fair Participation, which is comprised of a group of access to justice experts from different parts of the globe working to develop knowledge on the right of persons with disabilities to access justice on an equal basis with others. Msipa is the author of several publications in accredited peer reviewed academic journals, including the South African Journal on Human Rights and the African Disability Rights Yearbook.



**Samantha Crane**, JD, *she/her*, Legal Director, Autistic Self Advocacy Network (ASAN)

Samantha Crane is the Legal Director at ASAN's national office. A graduate of Harvard Law School, Crane previously served as staff attorney at the Bazelon Center of Mental Health Law, focusing on enforcing the right to community integration as established by the Supreme Court in *Olmstead v. L.C.*, and as an associate at the litigation firm Quinn Emanuel Urquhart, & Sullivan, L.L.P., where she focused on patent and securities litigation. From 2009 to 2010, Crane served as law clerk to the Honorable Judge William H. Yohn at the U.S. District Court for the Eastern District of Pennsylvania.



## Panel Two: *Unequal Equality: How our Education System is Failing Americans with ASD*



**Darlene Hemerka**, JD, *she/her*, Staff Attorney, The Public Interest Law Center

Staff attorney Darlene Hemerka joined the Public Interest Law Center in September 2017 as an Equal Justice Works Fellow sponsored by Greenberg Traurig, LLP. She focuses on representing parents in IEP meetings, advocating for teens with disabilities in the Philadelphia School District, and teaching students and their families about secondary transition services. Before joining the Law Center, Hemerka was a judicial law clerk at the Superior Court of New Jersey. In 2016, she received her juris doctorate from the Pennsylvania State University's Dickinson School of Law. She received her bachelor's degree in political science and urban studies, *summa cum laude*, from Rutgers University.



**Lewis Bossing**, JD, *he/his*, Senior Staff Attorney, Bazelon Center for Mental Health Law

Lewis Bossing works on a broad array of issues affecting adults and children with mental disabilities, including community integration, special education, and criminal justice. Before joining the Bazelon Center in October 2007, Bossing worked as a staff attorney in the Civil Rights Division at the United States Department of Justice, and at the Legal Aid Society–Employment Law Center in San Francisco, where he represented clients in Americans with Disabilities Act litigation in employment and education settings. A former modern dancer, Bossing has a bachelor's degree in performance studies from Northwestern University and a juris doctorate from the New York University School of Law.



**Terry Jean Seligmann**, JD, *she/her*, Emerita Professor of Law, Drexel University's Kline School of Law

Terry Jean Seligmann has expertise in special education law and is a nationally known teacher of legal research and writing. When Seligmann joined Drexel University's Kline School of Law as a member of its inaugural faculty, she served as the Director of the school's nationally ranked Legal Writing program. Before coming to the law school, Seligmann directed the Legal Writing and Research program at the University of Arkansas School of Law, where she was also a professor of law. She previously taught at Suffolk University Law School. Professor Seligmann earned her juris doctorate at New York University School of Law, where she was editor of the *New York University Law Review* and was a member of the Order of the Coif.



**Jasmine E. Harris**, JD, *she/her*, Professor of Law, University of California – Davis, School of Law

Harris's research lies at the intersection of civil rights, civil procedure, and social psychology. She is particularly concerned with the ways in which rules and procedures can change social norms, and, currently, explores these questions in the disability context. Harris graduated *magna cum laude* with a bachelor's degree in Latin American & Caribbean Studies from Dartmouth College. She has a juris doctorate from Yale Law School, where she was a Senior Editor for *Yale Law & Policy Review* and a recipient of the Connecticut Hispanic Bar Association's Merit Scholarship as well as the Lloyd N. Cutler Scholarship for Public Service. Prior to joining the faculty at the University of California - Davis, she worked as a staff attorney at national civil rights organization Advancement Project, where she assisted grassroots advocacy campaigns around racial justice in education and juvenile matters.



## Research Presentation: *The Changing Medicaid Landscape for Autistic Individuals*



**Robert I. Field**, PhD, JD, MPH, *he/his*, Professor of Law, Drexel University's Kline School of Law

Robert Field is a nationally known expert in health care regulation and its role in implementing public policy. He holds a joint appointment as professor of law at the School of Law and professor of health management and policy at the School of Public Health at Drexel University. Field's recent scholarly work has focused on health reform and its effects on the structure of the health care system, ethical issues in vaccines, and policy implications of genetic databases. He writes a blog for *The Philadelphia Inquirer* on health policy titled "Health Cents," which features 14 prominent Philadelphia health care leaders as regular contributors. Previously, Field led business planning and development for the primary care network of the University of Pennsylvania Health System. He has also conducted health policy research at the Institute of Medicine of the National Academy of Sciences and the Center for Law and Health Sciences at Boston University, practiced health law with the Philadelphia firm of Ballard Spahr, LLP, and directed public policy research for Cigna. Field earned a doctorate in psychology from Boston University, a master's degree in public health from the Harvard School of Public Health, and a juris doctorate from Columbia Law School, where he was associate editor of the *Columbia Journal of Environmental Law*.



**Lindsay Shea**, DrPH, MS, *she/her*, Director of Policy and Analytics, A.J. Drexel Autism Institute

Lindsay Shea is the Director of the Policy and Analytics Center at the A.J. Drexel Autism Institute and an assistant professor. The mission of the Policy and Analytics Center is to utilize research methods and innovative analytic strategies to support the development of effective social and health policy in cities, states, and across the U.S. Shea has led autism-focused projects across Philadelphia, Pennsylvania, and with a national scope. Shea was the first author of the "Pennsylvania Autism Census Report," and her research interests are creating and using an evidence base in forming, evaluating, and implementing social and health policies. Shea has a doctoral degree in Health policy from the Drexel University's Dornsife School of Public Health, Department of Health Management and Policy, and a master's degree in social policy from the University of Pennsylvania - School of Social Policy and Practice.



### Panel Three: *Navigating a Minefield: ASD and the American Healthcare System*



**Victoria M. Rodríguez-Roldán**, JD, *she/her*, Senior Policy Manager, AIDS United

Victoria M. Rodríguez-Roldán is the director of the Trans/Gender Non-Conforming Justice Project at National LGBTQ Task Force. Ms. Rodríguez-Roldán is a trans and mental health activist fighting against mental health stigma and fighting for inclusion, especially for those with psychiatric disabilities. Her work has explored the intersectionality of mental health, disability, and trans identity.



**Derek S. Green**, JD, *he/his*, Philadelphia City Councilmember At-Large

In 2015, Councilmember Derek S. Green won the Democratic primary for City Council At-Large in Philadelphia, and, later that year, he was elected as a member of the City Council of Philadelphia. In 2019, he was elected for another term. As a member of City Council, Green chairs the Committee on Finance and Disabilities and serves as the Vice Chair of the Committees on Aging and Law and Government. Additionally, Green and his wife co-founded the first autism support class at Houston Elementary School to help autistic children like their son. To aid other families affected by autism, they are top regional fundraisers for Autism Speaks. Green is a graduate of the University of Virginia and Temple University School of Law.



**Stephanie Keeney Parks**, PhD Candidate, MA, *she/her*, Graduate Student at University of California – Los Angeles, Department of Anthropology

Stephanie Keeney Parks is a doctoral student at the University of California, Los Angeles in the Department of Anthropology where she studies medical/psychological and linguistic anthropology. She has a master's degree in medical anthropology from Creighton University in Omaha, Nebraska. Parks's research centers on the everyday lives of Black parents who have children with autism. She is interested in the process of diagnosing a Black child with autism as well as the healthcare disparities that these families face. Parks is also interested in centering the Black parent's narrative and experience as the expert in order to decenter white ideologies on health, health care, disability, and Black culture. Her research stems from her experiences as a Black woman, wife, and mother of two children—the eldest of whom has autism.