

# **Disability Law and Practice**

Civil Rights of People with Disabilities:  
Law, Litigation and Attorney Fees

**Editors**

Nancy Maurer, Esq.  
Simeon Goldman, Esq.

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# DISABILITY LAW AND PRACTICE

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## PREFACE

We are pleased to bring to you the third and final book in the New York State Bar Association's series *Disability Law and Practice*. This book focuses on the civil rights of people with disabilities in employment, housing, facilities, and other areas of life. Book Two covered Financial and Health Care Benefits and Future Planning, and Book One addressed Special Education, Assistive Technology and Vocational Rehabilitation. Together, all three books offer a comprehensive overview of the many facets of disability-related law relevant to the practice of New York attorneys.

Like the previous books, this book has been a collective (volunteer) effort, relying upon the expertise and dedication of the authors and reviewers who have generously shared their considerable knowledge in preparing their chapters. We thank them all, as well as the former editors and authors of the three editions of *Representing People With Disabilities*, without whom this would have been an even more monumental undertaking. This also would not be possible without the publications staff of the New York State Bar Association, who have spent much time and effort making this book a reality.

Disability law is remarkably diverse, the issues often involving legal areas that, at first glance, do not appear to be germane to the field. The authors bring their unique perspectives to their chapters and we hope you will find both the subject matter and their perspectives to be valuable in your practice. We welcome your feedback so that future editions of the *Disability Law and Practice* series will be the best and most useful publication possible.

Both of us have dedicated much of our careers to the practice of disability law, and we cannot imagine any other area of law where an attorney has the opportunity to accomplish more for people who, individually or as a group, have traditionally faced incredible barriers in all areas of life. We hope this book will be a resource for all practitioners, but especially for those of you undertaking representation of people with disabilities, either as part of your practices or in providing pro bono assistance. As practitioners in the field, working on the *Disability Law and Practice* series has been a great opportunity for us. We thank you for your readership.

Sincerely,

Nancy Maurer and Simeon Goldman  
Co-editors

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Prior to joining the Albany Law faculty, Professor Maurer practiced law with Legal Services in Charleston, S.C., and later served as staff attorney for New York State Commission on Quality of Care and Advocacy

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Prior to working at the New York State Division of Human Rights, Mr. Herrion was Counsel to the United Spinal Association for 12 years, where he represented and assisted persons with disabilities on a wide variety of issues relating to employment, housing and access to places of public accommodation.

Mr. Herrion has published numerous articles and has lectured extensively, including Continuing Legal Education programs for attorneys, on the rights of persons with disabilities. He is a past Chair and Secretary of the New York City Bar Association's Committee on Legal Issues Affecting Persons with Disabilities. Mr. Herrion holds a law degree from Pace University School of Law and a Bachelor of Arts degree from Manhattan College.

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### **JO ANNE SIMON, ESQ.**

Jo Anne Simon is in private practice in Brooklyn, New York, concentrating in disability civil rights in high-stakes standardized testing, higher education law and employment discrimination. Previously, Ms. Simon was the staff attorney at Hofstra University School of Law’s Disabilities Law Clinic, and she now is an adjunct associate professor of law at Fordham University.

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