

OPENING NEW DOORS

2011-2012 REPORT TO THE COMMUNITY



THE Board and staff of Maryland Disability Law Center (MDLC) appreciate your interest in our impact, accomplishments and plans. For over 30 years, MDLC has been a dynamic force for change and extraordinarily successful in opening the doors of opportunity for Marylanders with disabilities. A charitable 501(c)(3) non-profit organization, MDLC is the state's Protection & Advocacy agency and a valued member of the National Disability Rights Network that was created by Congress in the 1970's, initially to address rampant human rights abuses against people with disabilities in large institutions. MDLC has a tremendous record of opening the doors to freedom for people with disabilities and continues to build upon this vital progress.

MDLC's advocacy is targeted to empowering people with disabilities and improving their lives in significant and lasting ways. We are the only organization exclusively focused on meeting the essential legal needs of Marylanders with all types of disabilities, of all ages, statewide. MDLC works in close collaboration with our clients and a vast array of other partners to achieve a more integrated and just society, where people with disabilities have equality of opportunity and are fully included in our communities.

In the pages that follow, you will see only a small sampling of MDLC's initiatives that open the doors to self-determination, choice and dignity for people with disabilities. Our dedicated, ambitious staff are working expertly and relentlessly to prevent abuse, neglect, discrimination and other rights violations; and increase access to critical education, health and mental health care, transportation,

and housing opportunities; along with operating strategically across multiple fronts to promote meaningful community integration for all Marylanders with disabilities.

MDLC has also been working hard to open new doors of our own and establish ourselves on solid footing for the future. In April 2012, MDLC relocated its offices to the Union Mill development in Baltimore, an environmentally- and historically-conscious urban infill project clustering nonprofit organizations to achieve efficiencies. We are very excited about our new space and the opportunities it provides for us and our clients. MDLC hopes that our new location will be a source of pride for the disability community for many years to come.

Thank you for helping MDLC build the disability rights movement and open doors.

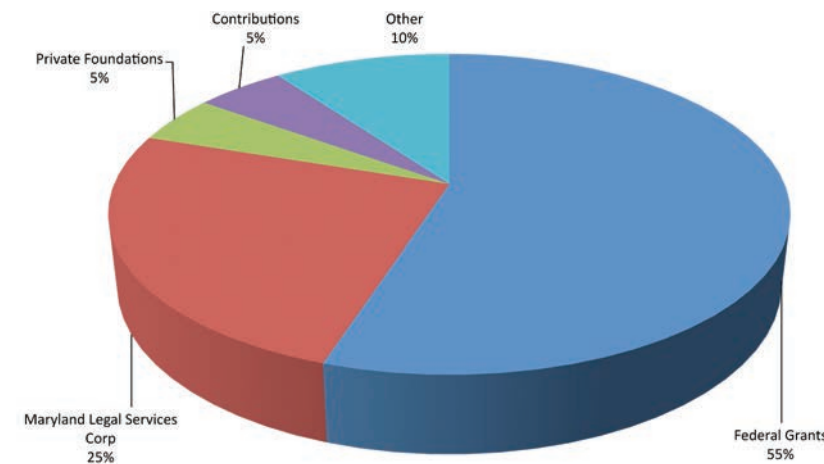


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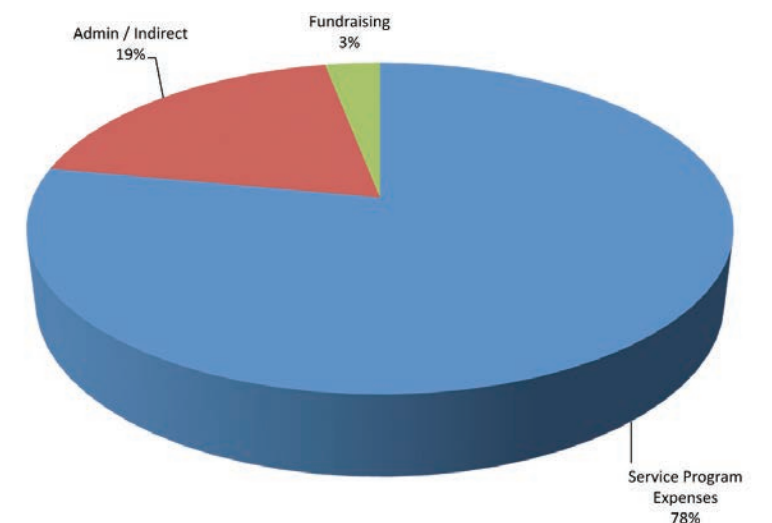
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Financial Overview

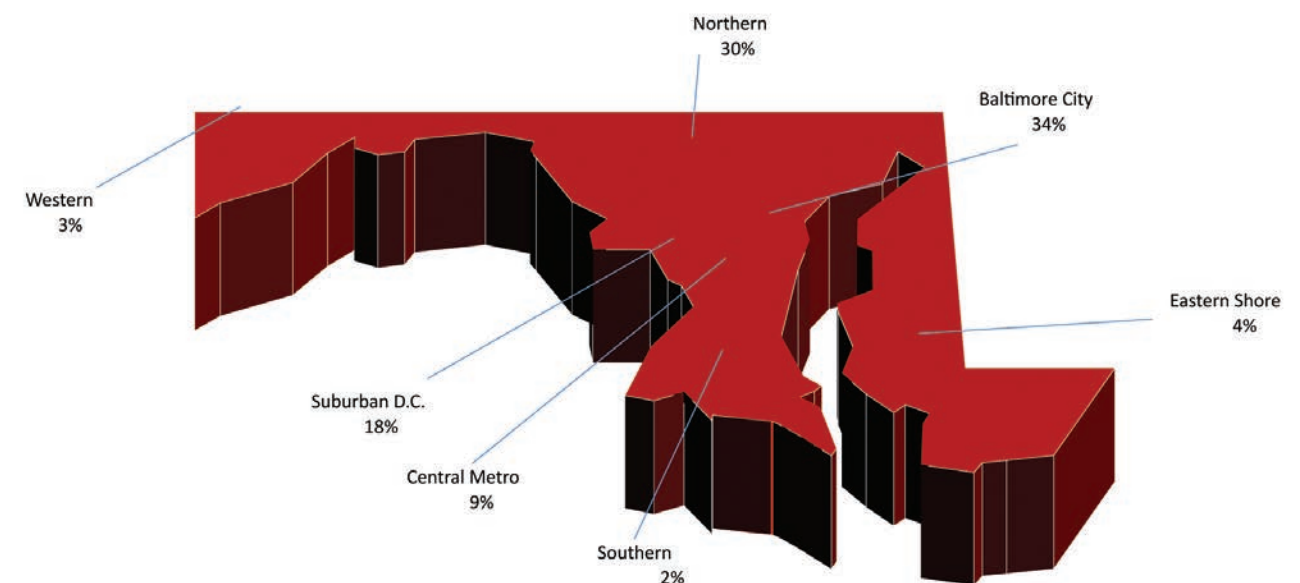
Where Our Support Comes From



How Our Funds Are Used



We Are A State-Wide Service Area



“Thank you so much for your help. It has been a big relief not to worry about [my child]. That means a lot to me.”

Special Education

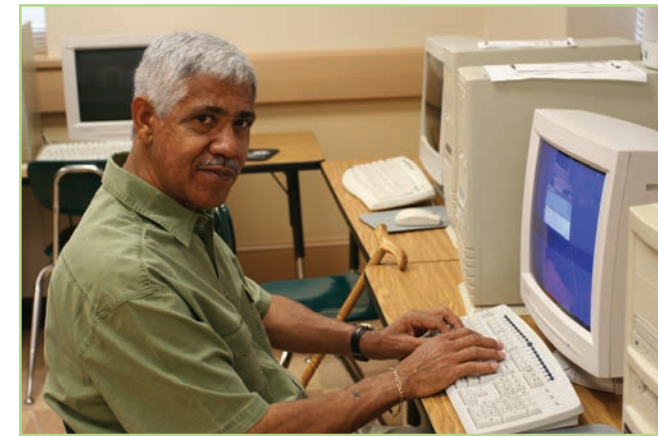
“Samantha” is a 20-year-old blind student who has multiple disabilities and is dependent on others for all of her care. Sam’s parents contacted MDLC because her school believed it was unsafe to feed her, despite evaluations that showed otherwise. Her mother was forced to go to the school every day, take her off-grounds to give her lunch, and then return her to school. An Individualized



Education Plan (IEP) meeting was scheduled and the parents began to keep Sam home because of the daily stress. MDLC attended the IEP meeting with the parents, and reached an agreement to return Sam to school and have people other than her classroom teacher trained to feed her. We also agreed that Sam’s pediatrician would prepare a document outlining the signs that warrant concern versus those that are typical “Sam characteristics” and do not warrant a visit to the health suite or other special attention. MDLC provided representation at a follow up meeting, at which all parties agreed that Sam should move to a different classroom due to the lack of trust and communication that had developed between the teacher and the family. Sam is back at school with people who used to work with her.

Approximately 12% of the population identifies themselves as having a disability. In Maryland that represents about 687,000 people.

Social Security and Employment



Many people who receive Social Security benefits have indicated that they would like to work, but they fear a sudden and devastating discontinuation of the benefits or the accompanying health insurance. MDLC’s Social Security project assisted beneficiaries who wanted to return to the workforce. We accomplished this by making sure people had accurate information about the effect of income on Social Security benefits, providing representation on legal matters that presented barriers to employment, and working with individuals to prevent overpayment of benefits.

The U.S. Department of Labor states that people with disabilities are significantly more likely than people without disabilities to be unemployed, and more likely to be employed part-time instead of full-time. MDLC believes that all people with disabilities who want to work should have the opportunity to work at a competitive market rate.

We use the law as a tool to accomplish social change for people with disabilities.

Vaughn G. Litigation

After more than 25 years, MDLC’s systemic litigation against Baltimore City Public Schools (BCPS) for failure to provide Special Education services in compliance with federal law, concluded in September 2012. MDLC remains concerned about various issues, such as ability to successfully include students with disabilities, and provision of supplementary aids and services, programmatic supports and modifications. Another ongoing issue of concern had been BCPS’ failure to provide instruction and related services to students with disabilities at the time they are scheduled. BCPS was required to provide compensatory services to make up for interrupted or missed services, with some of the compensatory services to be provided by private tutors. After learning that one of the tutors had billed for, but not provided, thousands of hours of services to hundreds of students, MDLC worked to ensure that the services were provided to these students.



Services for People with Developmental Disabilities

MDLC recently represented “Louis,” an individual who was sent to Rosewood from foster care in 1961 when he was 6 years old. In 1978, at age 23, Louis was discharged from Rosewood to community services. A few years later, he was discharged from community services and began relying on support from former staff people and eventually from his work supervisor. After his discharge, the state destroyed Louis’ entire record except for a two-page discharge summary. This discharge summary, prepared by state officials, is the only documentation that remained from his time at Rosewood and the only documentation that described him prior to the age of 22, the age by which a developmental disability (DD) must have manifested for eligibility purposes. Unfortunately, the Developmental Disabilities Administration (DDA) staff did not find this discharge summary persuasive and denied Louis eligibility for services as an individual with a DD. MDLC represented Louis in an informal hearing where the state again did not give the discharge summary proper weight and incorrectly found him ineligible. MDLC then hired an expert to perform a neuropsychological evaluation to show that Louis does have a DD. MDLC also found Louis’ staff from when he first left Rosewood, and learned more about the supports he needs and receives from his current supervisor and the social worker at his place of employment. MDLC represented Louis at an administrative hearing, at which DDA decided to withdraw their denial of eligibility and issue a new decision placing Louis in the highest priority category, enabling him to start receiving services quickly.



MDLC works on approximately 25 impact cases each year, estimated to affect 50,000 Marylanders with disabilities by improving access to public transportation, housing, education, and health benefits; fighting institutionalization; and increasing opportunities for full participation in community life.

Helping Obtain Medicaid Essential Services (HOMES)

MDLC was contacted by “Kadija’s” mother. Kadija is a 13-year-old girl diagnosed with cerebral palsy, epilepsy, intellectual disability, asthma, sleep apnea and who uses a gastrostomy tube. She had received 16 hours per week of Private Duty Nursing (PDN) services for 6 years, until her mother decided to terminate nursing services due to concerns with the nursing agency. The mother became extremely ill soon after the termination and could no longer provide PDN services. Therefore, the child’s physician’s requested nursing services through the Medicaid program, but the state denied the request. The mother contacted MDLC for legal assistance; MDLC investigated the merits of the case and provided the mother with technical assistance in self-advocacy. Through MDLC’s assistance, the mother successfully advocated for Kadija’s services to be reinstated.



“Without a doubt, I received outstanding services during our crisis. MDLC is truly an extraordinary organization with caring, competent and effective advocates serving our community.”

Pro Bono Project



MDLC has developed relationships with approximately 50 private attorneys who agree to represent people with disabilities needing assistance to resolve special education or Medicaid problems. Through our pro bono project, MDLC offers specialized training to private attorneys, and remains available to provide ongoing support. MDLC also occasionally partners with private law firms to co-author amicus briefs or jointly represent a group. MDLC is grateful for our partnership with the private bar.

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Lauren Young, Director of Litigation

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Amy Walters, Attorney
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Breaking Barriers 2011 Award Recipients

Breaking Barriers

MDLC annually hosts our Breaking Barriers gala, to celebrate inspiring advocates who break barriers for people with disabilities. Our guests have enjoyed fantastic food, drink and music; mingled with fun,

interesting people; and congratulated the recipients of our Breaking Barriers achievement awards who join us in the struggle to secure legal rights for people with disabilities.

Breaking Barriers Award Recipients

Public Service Award
In recognition of significant public service achievements that improve the lives of people with disabilities:
2011 Public Service Award: Maryland Delegate James Hubbard
2012 Public Service Award: Maryland Senators Verna Jones-Rodwell and Richard S. Madaleno, Jr.
Legal Service Award
For providing exemplary legal service to people with disabilities:
2011 Legal Service Award: Venable LLP
2012 Legal Service Award: Raymond Marshall, Esq.

Grassroots Advocacy Award
For an advocate whose efforts have created remarkable changes in the lives of people with disabilities:
2011 Grassroots Advocacy Award: Sandra Spears
2012 Grassroots Advocacy Award: Kenneth Capone
Lorraine Sheehan Lifetime Achievement Award
Recognizing a lifetime of accomplishments positively impacting people with disabilities:
Awarded April 2011 to United States Senator Benjamin L. Cardin

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MDLC sincerely thanks our Board of Directors for all they do to help improve the lives of people with disabilities.



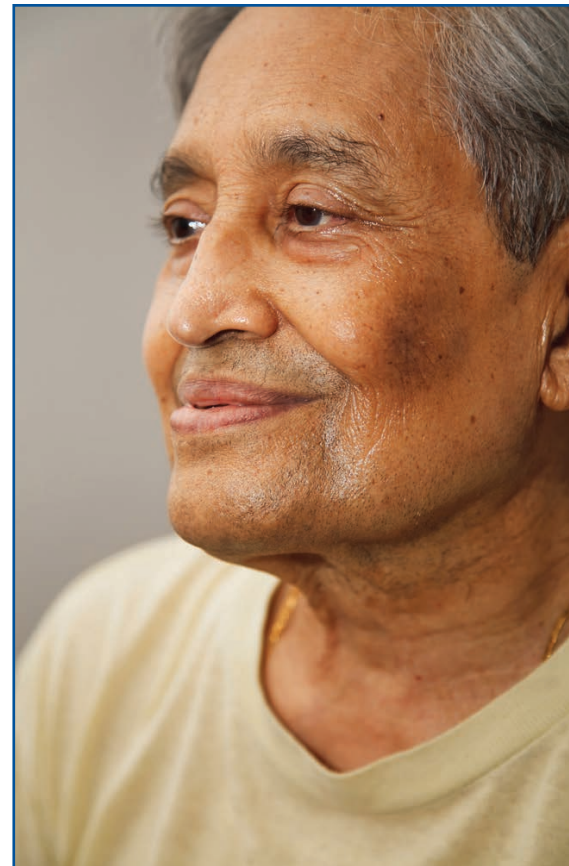
Breaking Barriers 2012 Award Recipients

“MDLC ...provided me with valuable resources and information, and supported us through this process. Thank you for your help!”

Sun Shine Folk - Nursing Facilities

The Sun Shine Folk (SSF) is MDLC’s group of peer mentors with disabilities who help people in nursing facilities learn about their right to live in the community. In Anne Arundel County, the SSF encountered “Pedro,” who speaks very little English and reads neither English nor his native Spanish. He wanted to learn how to move into a community with Spanish speakers, and have his own apartment, his own kitchen, and independence. The SSF referred Pedro to the appropriate state program, but he was not provided a qualified translator and signed a service plan he actually did not agree with. The transition specialist had decided what she thought was good for him and instructed him how to consent to the plan.

The SSF peer mentor recognized that Pedro was headed into another facility without knowing what it entailed or what his choices were. She tried to get the local county case managers to provide him a Spanish-speaking transition specialist so he would understand that he had agreed to something other than what he actually wanted. MDLC verified Pedro’s options and our Latino Outreach Paralegal explained them to him in precise detail. He was very clear about his needs and wants, and MDLC assisted him during the search to find a home in his preferred setting.



We work at the direction of people with disabilities to fight discrimination and to expand opportunities and choice.

Fair Housing

MDLC represented “Marquetta”, a young mother who has sickle cell disease and is raising three children on her own. She rents a townhouse in a rental community with a ‘no pets’ policy, although she had a pet dog, Ace, ever since she moved into the community, without problems. Marquetta and her mother contacted MDLC after the townhouse community wrote Marquetta and demanded that she remove Ace. Marquetta’s mother had taken the dog back to her home in New York right away, because she didn’t want to jeopardize her daughter’s tenancy. Marquetta was having difficulty dealing with increasing depression and isolation, which was impacting on her functioning. MDLC requested that she be permitted to keep Ace as a reasonable accommodation to her disability. Her doctor wrote a letter attesting to our client’s need for the dog as an emotional support animal. Ace also assists with letting our client know when someone is at the door, and helps her deal with the pain she experiences due to her sickle cell disease. As a result, the townhouse community agreed to allow her to have the dog, and her mother brought Ace back to her the next weekend.



**MDLC represents clients in each of Maryland’s 24 jurisdictions.
We are truly a statewide organization.**

Outreach and Training

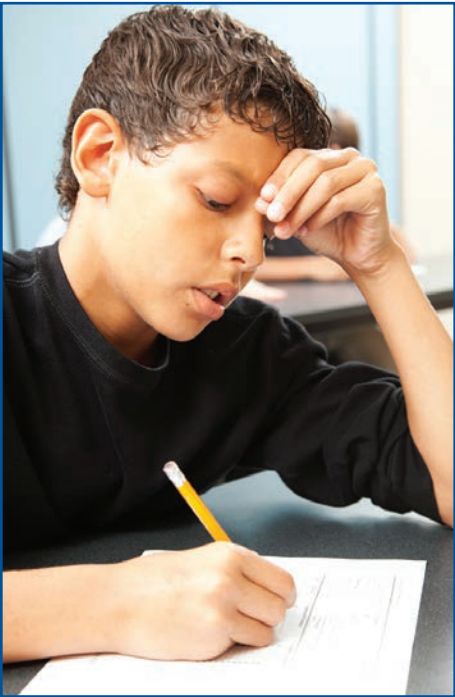
MDLC staff participate in approximately 60 outreach and training events each year. We present on a variety of issues such as: understanding rights in group homes, psychiatric hospitals, institutions, nursing facilities, and residential treatment facilities; obtaining Medicaid health services and assistive technology devices; using Social Security work incentives and preventing Social Security overpayments; understanding voting rights and registering people with disabilities to vote; including students with disabilities in school athletics; ensuring safety in the juvenile justice system; and understanding the special education and school discipline processes;.

We attend community resource fairs to spread awareness of MDLC’s services and distribute handbooks and other publications to help people with disabilities understand their rights. If you are interested in requesting a speaker from MDLC, please contact us at 410-727-6352.



Children’s Mental Health

Twelve-year old Akosh had lived in a residential treatment center (RTC) for almost 7 years. During this time, the Department of Social Services obtained guardianship because his parents were not involved in his care and he did not have a family home to return to upon discharge. MDLC intervened due to Akosh’s length of stay in the RTC. Akosh’s medical records did not warrant his continued stay in an RTC, and even noted that his behavior was partly due to the fact that he was institutionalized for several years. MDLC met with Akosh, who expressed a deep desire to leave the RTC and be reunited with his grandmother. Unfortunately, his grandmother was unable to provide him with the support he needed at home. Therefore, MDLC worked to find a suitable community placement. Due to MDLC’s investigation and advocacy, Akosh was finally discharged in to a therapeutic group home.



“MDLC has been extremely helpful with my case and with providing additional resources.”

Public Policy

MDLC is determined to achieve the broadest possible impact for people with disabilities. This can sometimes be accomplished by changing laws or preventing laws from changing. With very limited funds available for legislative activity, MDLC monitors issues that will directly affect people with disabilities. We have successfully supported such policies as access to documents for IEP meetings, trauma informed care, and funding for community services. We have opposed bills that would weaken the definition of “abuse” and that would create barriers to voting access.



We are all connected via social justice, fairness, and civil rights.

Assistive Technology

MDLC represented 20-year-old “Lamont”, a young man with Down Syndrome and other intellectual disabilities who was in his last year at public high school. Although he had very limited ability to communicate, two separate school systems failed to assess whether technology could help him. Lamont’s family contacted MDLC after noticing that he was able to independently use a smart phone to retrieve information from the Internet. MDLC advocated for the school system to assess whether an assistive technology communication device would be appropriate for Lamont. After several months he was able to obtain a communication device that enhances his ability to communicate with his family, friends, service providers and potential employers. Imagine the doors that have been opened for Lamont, knowing that he can now communicate with those around him!



MDLC staff members participate in approximately 60 formal coalitions and partnerships organized around issues that affect people with disabilities.

Thank you

Capital Campaign

In early 2011, MDLC launched its first capital campaign to support our move to historic Union Mill. “Partners in Justice” who donated \$3,000 or more to our capital campaign received an engraved bar on a plaque that will forever welcome those who enter through our new doors at Union Mill. For more information about the capital campaign, or to make a contribution, please contact MDLC Executive Director Virginia Knowlton Marcus at 410-727-652 ext. 2482.

Partners in Justice

Vicki Finkelstein
Nancy Grasmick
John Halaby
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Pro Bono Services

MDLC thanks the following individuals and firms who donated pro bono services:

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Every attempt was made to ensure the accuracy of this list reflecting information through December 2012. Please contact MDLC if we have made an error.

Leave a Bequest to MDLC

We envision an inclusive society that gives people with disabilities equal opportunity to participate and make their own choices. Despite our vigorous efforts, we realize this vision won’t happen in our lifetimes. Create a legacy for change by leaving a bequest to MDLC to continue our work. For more information contact MDLC Executive Director Virginia Knowlton Marcus at 410-727-6352 ext. 2482.



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