



EQUAL JUSTICE AMERICA

Summer 2022 EJA Fellow:



Name: Mary McNicholas

Law School: New York University School of Law

Organization: Advocates for Children of NY

Update 1: As some of you may already know, this summer I'm working as a legal intern at Advocates for Children of New York! I've been lucky enough to receive funding for this work from Equal Justice America, who asked that I share an [EJA Fellow Update](#). I've been in the office a few weeks, and I've already had the opportunity to work on client intakes, a research memo, and attend amazing trainings from the incredibly talented attorneys and their networks at AFC. I'm excited to spend the rest of the summer making sure NYC public school students are receiving the education they need and deserve.

Update 2: It's been two weeks since my last update, which means it's time for another [EJA Fellow Update](#). Over the past two weeks I've worked on largely the same matters. I've continued a client intake and learned it can be an incredibly long process. I've also had the opportunity to reach out to some of our community partners. I've really appreciated how collaborative the office culture is at Advocates for Children. Community resources are commonly shared to the whole office via email or our shared storage, and I'm constantly encouraged to reach out for help whenever I need it. Recently, a few of the cases I've been assisting with have picked up speed and I'm looking forward to drafting an impartial hearing request and continuing to advocate to make sure our families and children are getting the support they need to access their education.

Update 3: It's been another two weeks since my last update, which means it's time for my third [EJA Fellow Update](#)! Over the past two weeks I've wrapped up a client intake, meaning we get to move forward finding the best placement possible for some kiddos whose current school environment isn't working for them. I've also been working to draft an argument for an impartial hearing request for another student, while also working outreach to find an environment that will provide the supports they haven't been getting in their current placement. Next up on the agenda is finalizing an update memo summarizing developments in Section 504 related developments within the Second Circuit over the past year to help guide AFC's work in the area.

Update 4: It's been another two weeks since my last update, which means it's time for my fourth [EJA Fellow Update](#)! Over the past two weeks I've continued to work on an impartial hearing request for a student whose needs and IEP mandated services aren't being met. I've continued to finalize an update of developments in



EQUAL JUSTICE AMERICA

Section 504 related complaints within the Second Circuit and from the DOE OCR over the past year to help guide AFC's work in the area. Today, I was able to attend the latest National Council on Disability's quarterly Council meeting. The NCD invited legal scholars to share their thoughts on the impact of *Cummings v. Premier Rehab Keller*, a recent Supreme Court case finding that emotional distress damages are not recoverable under Section 504 or Section 1557, which I will report back to AFC.

Update 5: It's finally time for my last [EJA Fellow Update](#) of the summer! Last week I wrapped up my internship with Advocates for Children of New York! As I reflect on my experience with AFC, what stands out the most is the people I've worked with. I had incredible mentors at AFC that taught me about special education law and disability law. More importantly, they taught me how to do the job of an attorney, and I got incredible experience and guidance in direct service work. From meeting clients, conducting intakes, scheduling with clinicians, and visiting schools, I learned so much about what it means to be an advocate.

This summer, I was able to start working with a client from the initial inquiry at our online helpline. From there, we worked together to identify the issues that Advocates for Children could help with. By the end of the summer, I had gathered enough information that one of Advocates for Children's attorneys was able to sign a retainer for this client! I know that the work AFC will do for this family will be incredibly powerful and rewarding - I only wish I could be there to see it through!

I was also able to work with another client to find the right fit for their child's academic needs this summer. This involved some work that might not be typical legal work, but was absolutely essential and a learning experience nonetheless. This kind of work led to a very meaningful exchange with my mentor - we discussed how much harder the process that we were navigating is for the families AFC serves than it might be for another family with more resources at the most basic level of collecting information about educational options!

My other major project this summer included writing an update memo on cases in the Second Circuit concerning Section 504 of the Rehabilitation Act in the education context. In the process of writing this internal guidance document, I learned an incredible amount about legal writing and the importance of focusing on the details of a case. I'm so grateful to the attorneys at AFC who were able to help me sharpen those skills this summer.

I am so grateful to Advocates for Children and my mentors there for an amazing experience this summer. I learned and grew so much in my legal thinking, and I even got to help a few people along the way! I'm also incredibly grateful to Equal Justice America. Because I received EJA funding this summer, I was able to focus my time and energy into my work with AFC.

Equal Justice America Fellows are doing incredible work all over the country. If you'd like to support the work I and my fellow EJA interns are doing this summer, donate to Equal Justice America.