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Pictured below is 2023 Kutulakis Award winner Elizabeth T. Bangs, 2021 section chair Trent Kennedy, and 2023 section chair Jeffrey A. Dodge



MESSAGE FROM THE CHAIR

Dear Student Services Section:

I hope this publication finds you, your law school, and your friends and family well. The last few years have been full of so much change and tumult on our campuses. My hope for 2023 is that we all feel a sense of calmness that allows us to (re)adopt routines, innovate, and feel successful.

At the 2023 AALS Annual Meeting, the Student Services Section sponsored two programs to engage members in important issues impacting our work. The first featured Dr. Jennifer Rikard, the Director of Counseling & Psychological Services and Chief Mental Health Officer at San Diego State University. Attendees learned about student mental health trends and ways to build coalitions of support. The second program, titled, “Positioning Ourselves to Make a Difference: A Roundtable Discussion on the Future of the Law Student Services,” created a roundtable style space for professionals in the field to discuss the state of our work. Topics included its present challenges, the importance of self-care, and how we can work together to transform it into a more equitable and sustainable profession in the future.

At the end of the programs, we elected an executive board, discussed the future of the Section, and presented the Peter N. Kutulakis Award. Thank you to our colleagues listed on the next page of this newsletter for their willingness to serve on the executive committee this year. I’m excited to work with each of you. Congratulations again to Elizabeth T. Bangs, Assistant Dean for Student Affairs at the University of Texas School of Law, on receiving this year’s Kutulakis award. The Section was thrilled to recognize Dean Bangs!

The executive committee will soon meet to discuss the 2024 AALS Annual Meeting and our goals for this year. If you ever have ideas or want to get involved, please don’t hesitate to reach out. Have a fabulous spring semester!

Jeffrey A. Dodge, Chair, Student Services Section

2023 Student Services **Section Officers**

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THE CASE FOR CONFIDENTIAL ACCOMMODATIONS: STRUCTURING DISABILITY SERVICES

PROGRAMS TO EMPOWER STUDENTS

By Jennifer Cerny, Esq., Assistant Dean of Students at UConn Law

Anyone who has worked in law school disability services has likely felt the frustration of the uphill climb that students with disabilities must make to launch themselves into the legal profession. From being self-advocates for reasonable accommodations in the classroom, to a typically tedious supplement to their already-intimidating bar applications, the extra work adds up. Since we are sadly not yet at a point (or even nearing a point) where law schools will be champions of universal design, it is important for those in the profession to find and create ways to simplify and reduce the burden of increased work on disability students.

At UConn Law, our Disability Services (DS) program was originally coordinated by Jane Thierfeld Brown, EdD, a known expert in both the higher ed disability and autism spectrum disorder communities.¹ When I inherited the department after her departure roughly seven years ago, some procedures and technology changed, but we felt it critical to preserve Dr. Brown's protocol for confidential accommodations. While I can't say for certain why the program was initiated with confidentiality being key, I do see the impact it has—even all these years later, on our DS students.²

Confidentiality—"the state of being kept secret or private,"³ may sound like a contradiction for a school that has openly implemented and publicized its initiatives to reduce the stigma of mental health for students. In 2016, UConn Law was early in its decision to address the startling statistics on attorney wellness⁴ by hiring its own mental health counselor, independent of our parent institution.⁵

Eighteen months later, UConn law launched a mandatory 1L intake program that required new students to meet for 15-minutes with a member of the Student Affairs team and 15-minutes with one of the school's mental health counselors. Using this model, we greatly reduced the stigma of both mental health needs and disability, as every single student on campus has waited outside of our wellness office and met with a counselor at least once.

However, Connecticut is a small state. Our legal community is fairly tight knit and students who graduate from the State's flagship law school are inevitably going to interact with fellow grads as they practice law. It is common for our grads to find themselves across the courtroom from a classmate or familiar UConn Law face. Additionally, because we're a small state surrounded by legal powerhouses like Boston and New York, our graduate communities have a heavy foothold in surrounding states as well.

¹ Dr. Brown now serves as an assistant clinical professor in the Yale Child Study program.

² During 1L intakes, I've heard a number of times that our DS program was a tipping point for some when deciding where to enroll.

³ *OED Online*. Oxford University Press, March 2022. Web. 04 April 2022.

⁴ *The Prevalence of Substance Use and Other Mental Health Concerns Among American Attorneys* (Patrick R. Krill, Ryan Johnson & Linda Albert; 2016:10 J. Addict. Med. 46-52 (Jan./Feb. 2016))

⁵ In doing so, we were intentional about the structure of the hire to ensure that students knew the counselor was an independent contractor and was considered "confidential" from the Law School. This opened the door for students to speak freely with someone extremely familiar with our institution, but not bound by the same reporting obligations and authority chains.

Moreover, while UConn Law has a fair number of tenured faculty, we, like other law schools, employ practicing attorneys, judges and those active in local politics to teach as adjuncts. In any given semester, our 2 and 3L students are likely to have 1-2 classes taught by someone active, and often influential, in the Connecticut legal world.

While UConn Law is committed to reducing the stigma that attaches to disability—particularly those of the mental health variety, we also recognize the professional implications of disclosing personal health and disability information. Despite efforts to diversify, the legal profession still grapples with a history of being grounded in privilege. While roughly 1 in 4 Americans have a disability, people with disabilities make up only 1.22% of attorneys and 1.06% of partners.⁶

For this reason, I have always communicated to students that we utilize a confidential DS model- not because students should hide or keep their status secret, but because we believe it's their narrative to share *when and where they choose*. Of course, it bears acknowledging that some disabilities are not invisible, but for those students as well, we provide as much discretion as possible. At the same time, we work to empower our students to advocate for themselves, especially when it comes to equity and accessibility, knowing these skills will likely be a necessary component of their professional journey.⁷

So what does a confidential model for disability services look like? At UConn Law, our policy on anonymous grading provides a foundation for our procedure. Students register with our DS office and in doing so, we coordinate classroom accommodations on their behalf, most often without “outing” them to their professors. For all testing accommodations, we maintain a list of private study rooms, library carrels and offices and utilize those for individual exams. Exams are not proctored by professors, and we stagger exam start times. Because of deviations and other procedural reasons, students aren't assumed to have a disability just because they do not test with others in their class. So not only do DS students remain confidential from their professors, but from other students as well.

Admittedly, all of this requires additional work and strategic planning- more so during exams and midterms, already busy times of the year for student affairs professionals. It also requires collaboration with our Registrar's office and Library staff and enough private, physical space to accommodate the growing number of DS students who test separately. This last piece has become the biggest challenge for our program since we don't utilize a testing center or group DS students together for exams.

Despite the extra effort, however, we believe the value of discretion and empowerment provided to our students is well worth it. We'll continue to stay nimble as documented disability numbers inevitably rise, but remain committed to offering all students the benefits of a confidential program. In doing so, we hope to take a step closer to equal access by creating an inclusive and safe space for students with disabilities.

⁶ [Prevalence of Disabilities and Health Care Access by Disability Status and Type Among Adults – United States](#), Okoro CA, Hollis ND, Cyrus AC, Griffin-Blake S., 2016. MMWR Morb Mortal Wkly Rep 2018;67:882-887 and [2021 NALP Report on Diversity in U.S. Law Firms](#) — January 2022

⁷ Another unintended, but well-appreciated benefit to our program is that faculty and staff are somewhat shielded from allegations of disability discrimination, because neither cohort is aware of most of our students identifying as such.

A STUDENT PERSPECTIVE

*T. Sydney Bergeron Mikus (they/she), Public Interest Scholar, Penn State Dickinson Law class of 2024
Associate Director of Pre-Law Support, National Disabled Law Students Association*

When I was deciding where to attend law school, I had several main criteria: job placement, scholarship funding, location, campus culture, and student support. While these criteria are commonly shared amongst general applicants, the reasoning tends to vary for disabled students.⁸ In my role with the National Disabled Law Students Association, prospective students and I frequently discuss their priorities when it comes to deciding where to apply and ultimately attend law school.

When considering location, disabled students often evaluate proximity to their current doctors versus availability of and access to doctors in a new location. Some students consider accessible housing, be that school dorms or off-campus options. Additionally, we must factor in how our access to insurance and medication might be impacted. I only applied to schools within a day trip of my medical team; I spent years finding doctors that I trust to help manage my symptoms, and I was not willing to find a new team. It takes time to research doctors, and the doctors may be booked out far in advance. Students must also consider the time and cost of traveling to appointments. Students may also consider accessibility to community support: I personally never go to a new doctor without a friend or family member familiar who can help me recall my medical history and ask important questions.

Many law schools proudly report their students of color, female students, LGBTQ+ students, and international students. One demographic is consistently absent: disabled students. According to the Centers for Disease Control and Prevention, 1 in 4 adults in the United States is disabled.⁹ This is a stark contrast with disabled law students: Although clear statistics on law school graduates who report disability are nonexistent, an Illinois commission dedicated to promoting inclusion in the legal profession infers from National Association for Law Placement statistics that between 2.5 and 3.5% of graduates are disabled.¹⁰ In 2021, 1% of summer associates reported being disabled. In 2017, so few summer associates reported being disabled that the survey didn't include a percentage.¹¹ Schools should aim for their demographics to reflect those of the general population. Fortunately, there are steps you can take to provide a more accessible environment and encourage disabled students to attend your school, such as the following.

Inclusion begins at admissions.

There are many barriers placed upon disabled students that impact UGPAs, LSATs, and other numerical judgments. Additionally, gaps on résumés may stem from disability complications. Encourage applicants to provide addenda explaining their educational and professional background. Provide training for admissions officers to evaluate applications in their entirety and through an un-biased lens.

Accommodations provide equity.

Ensure this messaging is readily apparent in your accommodations policy. Your policy should be easily accessible to prospective and current students. In addition to featuring your accommodations policy on your website, use orientation as an opportunity to educate your students about accommodations access. Remind students and faculty that accommodations provide equity, not advantage. Ensure everyone is aware that not all disabilities are visible. Recognize that, largely due to the associated stigma, students who qualify for accommodations might not identify as disabled. Students might not realize they qualify for accommodations and thus risk avoidable inequities.

⁸ I prefer identify-first language and will use it throughout this piece. That is, I say “disabled student” rather than “student with a disability.” It is good practice to always ask your students how they prefer you refer to them.

⁹ <https://www.cdc.gov/ncbddd/disabilityandhealth/infographic-disability-impacts-all.html>

¹⁰ <https://www.2civility.org/its-time-to-remove-professional-barriers-for-lawyers-with-disabilities/>

¹¹ <https://www.nalp.org/reportondiversity>

Encourage COVID precautions.

COVID taught us many things, not least of which is that creative accommodations are possible. With the pandemic, suddenly students and faculty were able to remotely participate in their education. Schools implemented remote and hybrid systems to enable participation and access. Despite this, schools are now reverting to environments that disproportionately place their disabled students at risk. Especially with the growing awareness of long Covid¹², students you might not believe to be high-risk may still be rightfully very concerned about contracting an illness. I personally have several chronic illnesses and am anxious about adding more symptoms to my collection; it's already hard enough to balance my medications and doctors! I know that law schools are beholden to their universities in enforcing policies, but there are ways to present the policies that limit harm to disabled students. For example, rather than focusing on masks now being optional, you can present masks as ways to protect community members, such as those who are immunocompromised or living with those who are high-risk. Ensure students and faculty understand that wearing a mask signals that you care about protecting disabled members of your community.

Work toward equitable job placement opportunities.

Personally, it didn't matter to me how high the job placement and bar passage rates were if I didn't have a strong sense that the faculty strive to provide equitable opportunities for marginalized students. When planning on-campus interviews and other such events, integrate disability access. This can include guaranteeing wheelchair accessibility, providing captions for online events and ALS interpretation for online and in-person events, and designating a low-stimulation area for neurodivergent students. Survey your students to determine what would provide them more equitable opportunities in the job hunt and at campus events.

Disabled students may be multiply-marginalized.

Disability can intersect with any and every identity. Disabled people can be any race, ethnicity, gender, sexual orientation, religious affiliation, class, and any other identity you can think of. Recognize the complexities that come with being multiply-marginalized. For example, it will likely be significantly challenging for disabled students of color, particularly Black disabled students, to find affirming doctors. Anti-trans legislation poses additional hurdles for trans and nonbinary or gender non-conforming disabled students. If your school recommends—or, ideally, provides access to—medical professionals, ensure they are safe and affirming for multiply-marginalized students.

¹² <https://www.cdc.gov/coronavirus/2019-ncov/long-term-effects/index.html>

UNDERSTANDING MENTAL HEALTH NEEDS OF LAW STUDENTS POST-PANDEMIC

Special thanks to the incredible Cardozo Student Services team – Dean of Students Jenn Kim, Director of Academic Success Stephen Iannacone, and Program Manager Sarah Steinbruck – for our unparalleled bond, mutual respect, and constant admiration. I know how lucky I am every day to be part of this Team.

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In student affairs, we holistically support our students in balancing their personal and academic obligations. Cardozo Student Services approaches this support daily through emphasizing routines and time management. From orientation through bar support, we teach that time to care for yourself and time to outline are equally important. The disruption and uncertainty of the pandemic, compounded by the general stress of law school, altered our students' routines in unprecedented ways. (It is worth noting, too, that law school faculty and administrators struggled too, many balancing children at home, loss of home-work boundaries, and the demands of our roles to provide support, security, and clarity to our students when we felt uncertain ourselves.)

We must approach our students' experiences of the pandemic through a framework of loss, which we all experienced during this time. First, there is the trauma of the loss of a loved one, compounded during COVID by the fear of illness, frequency of such losses, and the common inability to say goodbye or observe typical mourning rituals. Equally important is the loss of health – and the fear surrounding it, including for those who are immune-compromised, those who must continue to take extra measures to protect themselves, and those with long COVID whose routines remain altered.

As we all struggle to regain normalcy in our lives now, our current and future students cope with abstract losses of time, experiences, routines, and expectations. By Fall 2022, the majority of our students will not have been in law school at the outset of the pandemic. Whether they were in college or in the workforce, their routines and plans were disrupted. As young adults, especially those who dealt with the uncertainty of college during COVID, they may still be struggling with the loss of the social, educational, and professional experiences they expected. Such a loss, and the potential for anxiety, anger, and depression as a result, will shape their law school years. A CDC study found that, of 5,400 people, a quarter of the respondents between the ages of 18-24 contemplated suicide in the previous 30 days.¹³ That staggering – and devastating – number captures our graduating classes for at least the next five years.

The clinical theories of grief encompass many frameworks, but the five stages of grief have become part of the common vernacular.¹⁴ The cycle of denial, anger, bargaining, depression, and acceptance apply to all losses, not just death. Not everyone will go through those stages in a particular order, if at all, and everyone will experience each stage differently. Grief of any kind can cause increased anxiety, depression, substance use, and suicidal ideations.

¹³ [The Growing Mental Health Effects of COVID-19 for Young Adults \(healthcentral.com\)](https://www.healthcentral.com/news/the-growing-mental-health-effects-of-covid-19-for-young-adults)

¹⁴ Worden, J.W. (2015). Theoretical Perspectives on Loss and Grief. *Death, Dying, and Bereavement: Contemporary Perspectives, Institutions, and Practices*, 91-104.

As their future advisors and counselors, we must understand the effects of their unprecedented adolescences to support them as young professionals. We must have empathy for our students' grief and we must anticipate an increased need for mental health support, particularly as social media empowers young adults to seek the care and treatment they need as a result of these losses.

At Cardozo, we seek to validate the COVID-related experiences in our programming. In our orientation mental health program, I include a section on resilience (starting with its dictionary definition), collective trauma, and empathy. I remind students that we all can grow from challenging circumstances. I also mention that we do not know others' experiences, particularly after the last two and a half years of the pandemic. I teach that empathetic lawyering starts with their classmates.

Cardozo is unique in that it has a cohort of the 1L class begin in May, taking a 10-credit course load between May and August. We run a full orientation for a class of approximately 55 students and it is always rewarding to see their bond. In May 2022, as I reviewed my notes for their mental health session, I debated whether the section on collective trauma and post traumatic growth was still relevant. Then I recalled the students I worked with over the last year who struggled to return to commuting, who suffered from anxiety about the rise of violence particularly against communities of color, and who questioned the value of lawyers when rule of law seemed decreasingly relevant. We are tasked not just with meeting our students' basic needs but in understanding what those needs are in a world unlike that in which we were law students. We must listen, we must understand the losses our students feel, we must model compassion and self-compassion as a professional value, and we must redefine and reframe our perceptions of what our students' needs are so that they can create a more just world of ethical, empathetic leaders.

In May 2022, when I discussed collective trauma, self-compassion, and empathy, I was met by a lecture hall full of nodding heads. Initially, I was pleasantly surprised that my words resonated. Then I realized that, as the physical and psychological effects of the pandemic continue to linger, I cannot imagine ever removing that section to ensure our students who have suffered these losses feel validated. I am hopeful that, as those nodding heads become lawyers, their generation will be more empathetic than we could have imagined.

SUPPORTING THE BASIC NEEDS OF OUR STUDENTS: THE UNIVERSITY OF COLORADO LAW SCHOOL

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The University of Colorado Law School has several resources designed to support the basic needs of students, staff, and faculty. This is, in part, because the Law School is part of the larger University of Colorado (CU) system. CU is the largest school in the state with over 38,000 students.

Students, staff, and faculty experiencing *food insecurity* can receive free food through the University of Colorado’s “Feed the Stampede Buff Pantry” and “Feed the Stampede Mobile Food Pantry.” The Buff Pantry provides shelf-stable products, fresh produce, refrigerated, frozen and personal care items at no cost to students. Students can receive up to 20 pounds of food per week. Several times a year “Feed the Stampede” hosts a mobile food pantry which is a drive-up service where students, staff, and faculty can receive up to 30 pounds of food in multiple boxes.

Colorado Law school has a Law Student Emergency Needs Fund, which provides *financial support* to students demonstrating a financial need relating to legal education or transition to the legal profession following law school. The Dean of Students administers this fund in conjunction with other members of the administration.

Law students in need of a *laptop*—either because they do not have one or because theirs is undergoing repair—can borrow a laptop for free through the law school or can utilize the aforementioned emergency needs fund to purchase a laptop.

The Career Development Office (CDO) at Colorado Law has an *interview closet*, which is a collection of donated suits, separates, and other professional accessories. Colorado Law students can access the closet if they need professional attire but would experience severe financial hardship if they had to purchase these items on their own. Graduating students in need can also have their regalia rental costs covered by the Student Affairs office.

The University of Colorado offers students a lot of support in the way of *psychological services*. In addition to having access to the campus-wide Counseling & Psychiatric Services (CAPS) Office, the Law School has an in-house licensed psychologist who works exclusively with law students. This psychologist hosts “Let’s Talk” once a week at the law school. Let’s Talk is an informal, brief, drop-in consultation session that law students can utilize to problem solve, receive brief support, or ask questions about available resources.

The University Department of Health Promotion offers a wide range of trainings, such as Mental Health First Aid, to students, staff, and faculty for free. Trainings occur on a regular basis throughout the year, but departments can make a special request for a training outside these dates.

In terms of *health services and medical care*, Colorado Law Students have access to the Wardenberg Student Health Center and four community health centers in the Boulder-Denver area. These community health centers accept the University’s student health insurance plan, work on a sliding scale basis, and accept Medicaid.

The University’s Student Legal Services Department offers professional legal assistance to eligible students for a fraction of the cost of a private attorney.

Law students also have access to the following other campus-wide resources: The Center for Inclusion and Social Change, The Office of Victim Assistance (OVA), The Office of Institutional Equity and Compliance (OIEC), and The Office of

Disability Services. International students work closely with CU's International Student and Scholar Services (ISSS) Office. This office provides support and resources for international students once they are accepted to CU Boulder.

As Denver is home to many experiential opportunities with Judges and Justices on the Tenth Circuit Court of Appeals, Colorado Supreme Court, and Colorado Court of Appeals along with many top law firms, transportation between Boulder and Denver is key. During the school year, The University provides all students, staff, and faculty an RTD transit pass allowing unlimited commuting on all public busses and trains in the Denver-Boulder region. The Office of Student Affairs also covers the cost of these passes over summer for students in need.

The University of Colorado has a program called "CU NightRide," which offers students, staff, and faculty free night-time transportation on campus or anywhere within Boulder City limits. CU NightRide has an accessible ADA service van as part of their fleet.

Located in what has been ranked one of the happiest cities¹ in America for several years, The University of Colorado offers its students a robust menu of *recreational and fitness opportunities* including the CU Bike Program, use of the Rec Center, and the UMC Connection Game Room. Through the Bike Program, students receive free help with basic bike repairs at any of the bike stations around campus. Students can also rent a bike for free for two days at-a-time with a valid student ID. In addition to standard gym facilities, the Rec Center also has fitness, yoga, and dance classes, a swimming pool, an ice arena, and an indoor rock-climbing wall. The UMC Connection Game Room has a bowling alley, billiard tables, pinball, foosball, and other games while offering students a variety of food and drinks.

¹ <https://www.nationalgeographic.com/travel/article/happiest-city-united-states-boulder-colorado-2017>