



THE AMERICANS WITH DISABILITIES ACT

Celebrating 25 years of a more equal society.

BY **ERIN E. LAWLER**

MORE THAN 3,000 PEOPLE GATHERED ON THE WHITE HOUSE LAWN ON JULY 26, 1990, TO WITNESS THE SIGNING OF THE AMERICANS WITH DISABILITIES ACT. A spirit of elation prevailed across one of the largest crowds ever assembled for a ceremonial signing. We continue that celebration with this special edition of the *Texas Bar Journal* that commemorates the 25th anniversary of the ADA. The milestone of this landmark civil rights legislation is an ideal time for lawyers to reflect on the current state of disability issues in our state and across the country.

Far from being an issue that applies only to a narrow legal area, disability is part of the universal human experience and touches almost every field of law. The broad scope of disability issues is reflected in the wide range of individuals, State Bar sections, and legal and nonprofit organizations that proposed this special edition.

As President George H.W. Bush signed the ADA into law, he reminded our nation that, "along with the precious privilege of being an American comes a sacred duty to ensure that every other American's rights are also guaranteed." Lawyers and advocates throughout our state, with and without disabilities, have long recognized their sacred duty to ensure the rights of their fellow Texans. The outstanding work of organizations, such as Disability Rights Texas and the Texas Civil Rights Project, is highlighted in this issue.

Nowhere is the ADA's call to perform our duty as Americans more poignant than in our own profession. Today, the ADA spirit is at work in the Disability Issues Committee of the State Bar of Texas. As part of its mission to promote access to legal services for members of the public with disabilities, the DIC helped create the Communication Access Fund, through which the bar reimburses costs associated with sign language interpreting, the creation of Braille documents, and other aids and services necessary to communicate effectively with clients. The DIC also collaborates with the Legal Access Division of the State Bar to provide training to lawyers on effective communication requirements under the ADA.

The Communication Access Fund is just one example of the remarkable and necessary change brought about by 25 years of ADA awareness, enforcement, and litigation. In workplaces, private businesses, and public facilities across the country, the doctrine of reasonable accommodation prevails. The 1999 U.S. Supreme Court decision in *Olmstead v. L.C.* established that unjustified institutional isolation of people with disabilities is illegal discrimination under the ADA, ushering in an era of community integration.

Despite significant advances, much work remains to be done before the dream of the ADA can be fully realized. As the ways in which Americans interact with each other change, so too must our understanding of equal access under the law. Today's ADA suits are as likely to be about accessibility on the Internet as they are to be about physical access to a restaurant.

On the anniversary of the ADA, we celebrate the legacy of those who fought against discrimination, and we recommit ourselves to dismantling barriers to a more equal society.



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