Bibliography of Law Review Articles on Disability Law

Ann Puckett

University of Georgia School of Law
Bibliography of Law Review Articles on Disability Law

Professor E. Ann Puckett

Table of Contents

- Accessibility/Universal Design
- Accommodations
- ADA Jurisprudence
- Community-Based Care/Assisted Living
- Crime
- Defenses and Remedies
- Defining Disability/Major Life Activities
- Education
- Employment/Employment Discrimination
- General
- Health
- History
- Housing
- Insurance
- International
- Learning Disabilities
- Medical
- Mental Health
- Nursing Home/For-Profit Providers
- Prisons
- Resources for People with Disabilities
- Social Security
- Sports
- State Laws
- Right to Die/Physician-Assisted Suicide

Accessibility/Universal Design


Erin M. Davis, Comment. A New York perspective reagarding access and usability for the disabled and elderly in private residential dwellings: what can be done on a local level to provide basic access and usability in private dwellings utilizing cost effective and efficient methods, 12 Alb. L.J. Sci. & Tech. 917 (2002).

Erin M. Davis, Comment. A new york perspective reagarding access and usability for the disabled and elderly in private residential dwellings: what can be done on a local level to provide basic access


Michael Goldfarb, Comment: Access now, inc. v. southwest airlines, co. -using the "nexus" approach to determine whether a website should be governed by the americans with disabilities act, 79 St. John's L. Rev. 1313 (2005).


William C. Hollis, III, Rights is people with disabilities to emergency evacuation under the Americans with Disabilities Act of 1990., 5 J. Health Care L. Pol'y 524 (2002).


Maryann Jones, And access for all: accommodating individuals with disabilities in the California courts, 32 U.S.F. L. Rev. 75 (1997).

Maryann Jones, And access for all: accomodating individuals with disabilities in the California courts., 32 U.S.F. L. Rev. 75 (1997).


Charles D. Mockbee IV, Comment: Caught in the web of the internet: The application of the


Laurence Paradis, Symposium, Development in Disability Rights: Title II of the Americans with Disabilities Act and Section 504 of the Rehabilitation Act: Making Programs, Services, and Activities Accessible to All, 14 Stan. L. & Pol'y Rev 389 (2003).


Jeffrey Scott Ranen, Note. Was blind but now I see: the argument of ADA applicability to the internet., 22 B.C. Third World L.J. 389 (2002).


David L. Schwan, THE TENTH ANNUAL FRANKEL LECTURE: NOTE*: "WHEN YOU COME TO A
Accommodations


Article: Barriers to accessible housing: Enforcement issues in "design and construction" cases under the fair housing act*, 40 U. Rich. L. Rev. 753 (2006).


Janet Barbookles, Comment. Creating reasonable accomodations without an undue burden: the future effects the ADA will have on golf courses., 33 Golden Gate U. L. REV. 71 (2003).


Polly Blakemore, Note. Short of money or shortchanged?: reasonable accommodations in rental rules and policies for disabled individuals receiving financial assistance, 39 Brandeis L.J. 449 (2000).


Lynn M. Carroll, Employment Law -- Extending Reasonable Accommodations to Qualified Employees "Regarded As" Disabled Under the Americans with Disabilities Act -- Williams v. Philadelphia Housing Authority Police Department, 380 F.3d 751 (3d Cir. 2004), 40 Suffolk University Law Review 281


Mary Crossley, Reasonable accommodation as part and parcel of the antidiscrimination project., 35 Rutgers L.J. 861 (2004).


Stephen F. Defort & Tracey H. Donesky, Reassignment under the Americans with Disabilities Act: reasonable accommodation, affirmative action, or both?, 57 Wash & Lee L. Rev. 1045 (2000).


Lisa Eichhorn, Reasonable accommodations and awkward compromises: issues concerning learning disabled students and professional schools in the law school context, 26 J.L. & Educ. 31 (1997).


Kymberly D. Hankinson, Comment. Navigating between a rock and a hard place: an employer's


Jill S. Kingsbury, "Must we talk about that reasonable accommodation?": The Eighth Circuit says yes, but is the answer reasonable? (Fjellstad v. Pizza Hut of America, Inc., 188 F.3d 944, 8th Cir. 1999.), 65 Mo. L. Rev. 967 (2000).


Aaron Matthew Laing, Comment. Failure to accommodate, discriminatory intent, and the McDonnell Douglas framework: distinguishing the analyses of claims arising under subparts (A) and (B) of section 12112(b)(5) of the ADA., 77 Wash. L. Rev. 913 (2002).

Janai Powell Lane, Are web sites a "public accommodation" under Title III of the Americans with Disabilities Act ("ADA") requiring reasonable access for persons with disabilities?, 21 Legal Ref. Serv. Q 75 (2002).


Alex B. Long, A good walk spoiled: Casey Martin and the ADA's reasonable accommodation requirement in competitive settings, 77 Or. L. Rev. 1337 (1998).


Timothy J. McFarlin, IF THEY ASK FOR A STOOL... RECOGNIZING REASONABLE ACCOMODATION FOR EMPLOYEES "REGARDED AS" DISABLED, 49 Saint Louis University Law


Elizabeth A. Pendo, Disability, doctors and dollars: distinguishing the three faces of reasonable accommodation, 35 U.C. Davis L. Rev. 1175 (2002).

Elizabeth A. Pendo, Disability, doctors and dollars: distinguishing the three faces of reasonable accommodation., 35 UC Davis L. Rev. 1175 (0).


Polly Beth Proctor, Article: Determining 'reasonable accommodation' under the ADA: Understanding employer and employee rights and obligations during the interactive process, 33 Sw. U. L. Rev. 51 (2003).


Lawrence D. Rosenthal, Requiring individuals to use mitigating measures in reasonable accommodation cases after the Sutton trilogy: putting the brakes on a potential runaway train., 54 S.C. L. Rev. 421 (2002).

Lawrence D. Rosenthal, Article: Reasonable accommodation for individuals regarded as having disabilities under the americans with disabilities act? Why "no" should not be the answer, 36 Seton Hall L. Rev. 895 (2006).

Laura F. Rothstein, The employer's duty to accommodate performance and conduct deficiencies of individuals with mental impairments under disability discrimination laws, 47 Syracuse L. Rev. 931 (1997).


Alan D. Schuchman, Note. The holy and the handicapped: an examination of the different applications of the reasonable accommodation clauses in Title VII and the ADA, 73 Ind. L.J. 745 (1998).

Stewart J. Schwab & Steven L. Wilborn, Reasonable accommodation of workplace disabilities, 44 Wm. & Mary L. Rev. 1197 (2003).


Sam Silverman, The ADA interactive process: the employer and employee's duty to work together to identify a reasonable accommodation is more than a game of five card stud, 77 Neb. L. Rev. 281 (1998).


Michael Ashley Stein, Same struggle, different difference: ADA accommodations as


Kelly Cahill Timmons, Accommodating misconduct under the Americans with Disabilities Act., 57 Fla. L. Rev. 2 187 (2005).


J.H. Verkerke, Disaggregating antidiscrimination and accommodation, 44 Wm. & Mary L.Rev. 1385 (2003).


**ADA Jurisprudence**


Katherine R. Annas, Toyota Motor Manufacturing, Kentucky, Inc. v. Williams: part of an emerging trend of Supreme Court cases narrowing the scope of the ADA., 81 N.C. L. Rev. 835 (2003).


Lawrence Berliner, A survey of significant ADA Title II and Title III decisions within the second circuit, 15 QLR 537 (1996).

Lawrence Berliner, An evolving Americans with Disabilities Act, a survey of decisions involving public entities and places of public accommodation from courts within the Second Circuit, 17 QLR 633 (1998).


J. William Cain, Jr., The "most integrated setting" regulation of the Americans with Disabilities Act, 34-


James P. Colgate, If you build it, can they sue? Architects' liability under Title III of the ADA, 68 Fordham L. Rev. 137 (1999).


Nancy Lawler Dickhute, Jury duty for the blind in the time of reasonable accommodations: the ADA's interface with a litigant's right to a fair trail, 32 Creighton L. Rev. 849 (1999).


Joseph Groshong, Comment: Curbing state discrimination against disabled drivers: Why the disabled need not pay the states to participate in disabled parking programs, 33 Stony Hall L. Rev. 811 (2003).


Ashley W. A. Hammerich, Tennessee v. Lane: Money Damages under the ADA, 13 0 (0).

Ashley W. A. Hammerich, Tennessee v. Lane: Money Damages under the ADA, 13 The Digest 111 (2005).


J. Andrew Hirth, We Were Only Teasing: The Eighth Circuit Misses the Quintessence of Hostile Work Environment Claims Under the ADA, 70 Mo. L. Rev. 253 (2005).


Kimberly Horvath, Does Bragdon v. Abbott provide the missing link for infertile couples seeking protection under ADA?, 4 DePaul J. Health Care L. 819 (1999).


Mark A. Johnson, Note. A flawed standard yields a predictable result. (Board of Trustees of the University of Alabama v. Garrett, 121 S. Ct. 955, 2001.), 60 Md. L. Rev. 393 (2001).


Catherine J. Lanctot, Ad hoc decision making and per se prejudice: how individualizing the determination of "disability" undermined the ADA, 42 Vill. L. Rev. 327 (1997).


James Leonard, Symposium. The shadows of unconstitutionality: how the new federalism may affect the anti-discrimination mandate of the Americans with Disabilities Act, 52 Ala. L. Rev. 91 (2000).

Brian Lester, Student article. The Americans with Disabilities Act and the exclusion of inmates from services in prisons: a proposed analytical approach regarding the appropriate level of judicial scrutiny of a prisoner's ADA claim., 79 N.D. L. Rev. 83 (2003).


Paul Steven Miller, EEOC’s enforcement of the ADA in the second circuit, 48 Syracuse L. Rev. 1577 (1998).


Christopher S. Morin, Flying the not-so-friendly skies: Charas v. TWA’s definition of "service" under the ADA’s preemption clause exposes airlines to tort liability, 65 J. Air L. & Com. 497 2000 (0).


Aaron Ponzo, Title II of the Americans with Disabilities Act is a valid exercise of congress' power to abrogate state sovereign immunity: Tennessee v. Lane., 43 Duq. L. Rev. 2 317 (2005).


Robert A. Robinson, Note. Alsbrook v. City of Maumelle: Will the conservative Supreme Court decide


Aviam Soifer, Disabling the ADA: Essences, better angels, and unprincipled neutrality claims., 44 Wm
Robert L. Strayer II, Asserting the Seventh Amendment: an argument for the right to a jury trial when only back pay is sought under the Americans with Disabilities Act, 52 Vand. L. Rev. 795 (1999).


Alison Tanchyk, Comment. An Eleventh Amendment victory: the Eleventh Amendment vs. Title II of the ADA., 75 Temp. L. Rev. 675 (2002).


Carrie A. Thornton, Comment. Alcoholism and the ADA: divergent treatment by the federal courts, 54 SMU L. Rev. 2153 (0).

Karen M. Volkman, Comment. The limits of coverage: do insurance policies obtained through an employer and administered by insurance companies fall within the scope of Title III of the Americans with Disabilities Act?, 43 St. Louis U.L.J. 249 (1999).

Michael E. Waterstone, Article: Lane, fundamental rights, and voting., 56 Ala. L. Rev. 793 (2005).


Mary Ann MacLaughlan Weicher, Case Comment, Administrative Law--No Chevron Deference for EEOC's Interpretation of "Disability" in Family and Medical Leave Act, 36 Suffolk U. L. Rev. 915 (2003).


Jessica Lynne Wilson, Technology as panacea: why pregnancy-related problems should be defined without regard to mitigating measures under the ADA, 52. Vand. L. Rev. 831 (1999).
Community-Based Care/Assisted Living

Andrew I. Batavia, A right to personal assistance services: "most integrated setting appropriate" requirements and the independent living model of long-term care, 27 Am. J.L. & Med. 17 (2001).


Michael L. Perlin, "What's good is bad, what's bad is good, you'll find out when you reach the top, you're on the bottom": are the Americans with Disabilities Act (and Olmstead v. L.C.) anything more than "Idiot Wind"?, 35 U. Mich. J.L. Reform 235 (2001).
Sara Rosenbaum & Joel Teitelbaum, Olmstead v. L.C.: implications for Medicaid and other publicly funded health services, 12 Health Matrix 93 (2002).

Rachel Rubey, There's no place like home: housing for the most vulnerable individuals with severe mental disabilities., 63 Ohio St. L.J. 1729 (2002).


Steven J. Snyder, Providing services to assisted living facility residents through home health agencies: meeting the need in changing times, 8 J. Affordable Housing & Commum. Dev. L. 159 (1999).


**Crime**


Susan M. Boland, Walking the edge of death: an annotated bibliography on juveniles, the mentally ill, the mentally retarded and the death penalty,, 21 N. Ill. U. L. Rev. 1 131 (2001).


Mijha Butcher, Student article. Using mediation to remedy civil rights violations when the defendant is
not an intentional perpetrator: the problems of unconscious disparate treatment and unjustified

Leslie Calhoun, Rethinking Juvenile Rehabilitation Techniques: How Failure to Modify Positive Peer
Culture for Mentally Ill Youths Violates Title II of the ADA, 50 The Wayne Law Review Spring, 2004
201 (2004).

Morgan Cloud, et al., Words without meaning: the Constitution, confessions, and mentally retarded

Timothy Cone, Developing the Eighth Amendment for those "least deserving" of punishment:
statutory mandatory minimums for non-capital offenses can be "cruel and unusual" when imposed on

Ronda Cress, J. Neil Grindstaff, S. Elizabeth Malloy, MENTAL CAPACITY AND THE DEATH
PENALTY: ARTICLE: MENTAL HEALTH COURTS AND TITLE II OF THE ADA: ACCESSIBILITY TO
STATE COURT SYSTEMS FOR INDIVIDUALS WITH MENTAL DISABILITIES AND THE NEED FOR


Richard C. Dieter, Introduction to presentations: the path to an eighth amendment analysis of mental

Alexis Krulish Dowling, Comment. Post Atkins problems with enforcing the Supreme Court's ban on
executing the mentally retarded. (Atkins v. Virginia, 536 U.S. 304, 2002.), 33 Seton Hall L. Rev. 773
(2003).

Bryan Lester Dupler, The uncommon law: insanity, executions, and Oklahoma criminal procedure, 55

William J. Edwards, Capital punishment and mental disability: amici curiae brief in Penry v. Johnson,

Lucy C. Ferguson, THE IMPLICATIONS OF DEVELOPMENT COGNITIVE RESEARCH ON
"EVOLVING STANDARDS OF DECENCEY" AND THE IMPOSITION OF THE DEATH PENALTY ON

Jennifer Fischer, The Americans with Disabilities Act: Correcting discrimination of persons with

Jennifer Fischer, The Americans with Disabilities Act: Correcting Discrimination of Persons with
Mental Disabilities in the Arrest, Post-Arrest, and Pretrial Processes, 23 Law and Inequality Winter,

Ryken Grattet & Valerie Jenness, Examining the boundaries of hate crime law: disabilities and the

Timothy S. Hall, Legal fictions and moral reasoning: capital punishment and the mentally retarded

Jennifer Hodulik, Comment. The drug court model as a response to "Broken Windows" criminal


Tim Kollas, Note. Federal power, states' rights, individual rights: mentally disabled prisoners and the Supremem Court's new activism, 10 Wm. & Mary Bill of Rts. J. 861 (2002).


Joseph A. Nese, Jr., Comment. The fate of mentally retarded criminals: an examination of the propriety of their execution under the Eighth Amendment, 40 Duq. L. Rev. 373 (2002).


Lindsay Raphael, Comment. Have American standards of decency evolved to the point where capital punishment inflicted upon the mentally retarded can no longer be tolerated?, 26 Nova L. Rev. 269 (2001).

Margaret M. Severson, Moving beyond case law: suggestions for dealing with the mentally ill offender, 5 J. L. Soc. & Soc. Work 121 (1995).

Christopher Slobogin, Mental disorder as an exemption from the death penalty: the ABA-IRR task force recommendations, 54 Cath U. L. Rev. 4 1133 (2005).


Defenses and Remedies


Ruth Colker, Winning and losing under the ADA, 62 Ohio St. L.J. 239 (2001).


Mary L. Dispenza, Note. Overcoming a new digital divide; technology accommodations and the undue hardship defense under the Americans with Disabilities Act, 52 Syracuse L. Rev. 159 (2002).


Ann Hubbard, Understanding and emplementing the ADA's direct threat defense, 95 NW. U. L. Rev. 4 1279 (2001).


Armen H. Merjian, Bad decisions make bad decisions: Davis, Arline, and improper application of the undue financial burden defense under the Rehabilitation Act and the Americans with Disabilities Act, 65 Brooklyn L. Rev. 105 (1999).


Sabra McDonald Owens, Note. Diagnostic evidence admissibility and the multiple personality disorder defense, 1 J. Health Care L. & Pol'y 236 (1998).

Sabra McDonald Owens, Student article. The multiple personality disorder (MPD) defense, 8 Md. J. Contemp. Legal Issues 237 (1997).

Steven Plitt, Valerie J. Fasolo, & Daniel Maldonado, Article: Disability under a judicial microscope: The struggle to define the rights and remedies for claims brought under the rehabilitation act, 47 N.Y. L. Sch. L. Rev. 269 (2003).


Robert L Strayer, III, Asserting the Seventh Amendment: an argument for the right to a jury trial when only back pay is sought under the Americans with Disabilities Act, 52 Vand. L. Rev. 795 (1999).


**Defining Disability/Major Life Activities**


Paula E. Berg, Ill/Legal: Interrogating the meaning and function of the category of disability in

Timothy Stewart Bland, The determination of disability under the ADA: should mitigating factors such as medications be considered?, 35 Idaho L. Rev. 265 (1999).


Michael D. Carlis & Scott A. McCabe, Comment. Are there no per se disabilities under the Americans with Disabilities Act? the fate of asymptomatic HIV disease, 57 Md. L. Rev. 558 (1998).


Elizabeth A. Chang, Note. Who should have it both ways?: The role of mitigating measures in an ADA analysis, 64 Brook. L. Rev. 1123 (1998).


Kevin L. Cope, Comment: Sutton misconstrued: Why the ADA should now permit employers to make their employees disabled, 98 Nw. U.L. Rev. 1753 (2004).


Elizabeth A. Crawford, Comment. The courts' interpretations of a disability under the Americans with Disabilities Act: are they keeping our promise to the disabled?, 35 Hous. L. Rev. 1207 (1998).

Maria Greco Danaher, INABILITY TO USE RIGHT HAND AND ARM IS NOT NECESSARILY A DISABILITY, 8 Lawyers Journal November 24, 2006 3 (2006).


Richard C. Dunn, Note. Determining the intended beneficiaries of the ADA in the aftermath of Sutton: limiting the application of the disabling corrections corollary, 43 Wm. & Mary L. Rev. 1265 (2002).


Leah Guidry, Note. To heal another or to protect oneself?: HIV under the ADA in light of Bragdon v. Abbott, 15 Touro L. Rev. 805 (1999).


Erica Worth Harris, Controlled impairments under the Americans with Disabilities Act: a search for the meaning of disability, 73 Wash. L. Rev. 575 (1998).


Sara Gagne Holmes, Case note. The Supreme Court reverses the Equal Employment Opportunity Commission's directive that disability determinations should be made without regard to mitigating measures. (Sutton v United Airlines, 199 S. Ct. 2139, 1999.), 52 Me. L. Rev. 425 (2000).


Kimberly Horvath, Does Bragdon v. Abbott provide the missing link for infertile couples seeking protection under the ADA?, 2 DePaul J. Health Care L. 819 (1999).


Timothy D. Johnston, Note. Reproduction is not a major life activity: implications for HIV infection as per se disability under the Americans with Disabilities Act, 85 Cornell L. Rev. 189 (1999).


Amy M. Kimmel, Note. Insulin: can't be disabled with it--can't live without it, 52 Hastings L.J 749 (2001).

Michelle R. King & Beth S. Herr, The consequences and implications of a case-by-case analysis
under the Americans with Disabilities Act for asymptomatic HIV-positive gay men and lesbians post Bragdon, 8 L. & Sexuality 531 (1998).

Jane Byeff Korn, Fat, explores whether obesity should be considered a disability under ADA, 77 B.U. L. Rev. 25 (1997).


William J. McDevitt, Defining the term "disability" under the Americans with Disabilities Act, 10 St. Thomas L. Rev. 281 (1998).

Margaret C. McGrath, Comment: Insulin-dependent diabetes and access to treatment in the workplace: the failure of the americans with disabilities act to provide protection, 37 J. MarshallL. Rev. 957 (2004).


Katie Cook Morgan, Comment. Should infertility be a covered disability under the ADA?: a question for Congress, not the courts, 65 U. Cin. L. Rev. 963 (1997).


Christine Neylon O'Brien, To tell the truth: should judicial estoppel preclude Americans with Disabilities Act complaints?, 73 St. John's L. Rev. 349 (1999).


Beth Hensley Orwick, Note. "Bartender, I'll have a beer and a disability"; alcoholism and the Americans with Disabilities Act: affirming the inmportance of the individualized inquiry in determining the definition of disability, 20 St. Louis U. Pub. L. Rev. 195 (2001).


Reed L. Russell, Comment. Arguing for more principled decision making in deciding whether an individual is substantially limited in the major life activity of working under the ADA, 47 Cath. U. L. Rev. 1057 (1998).

Peter K. Rydel, Redefining the right to reproduce: asserting infertility as a disability under the Americans with Disabilities Act, 63 Albany L. Rev. 593 (1999).


Christine M. Tomko, Note. The economically disadvantaged and the ADA: why economic need should factor into the mitigating measures disability analysis, 52 Case W. Res. L. Rev. 1033 (2002).


Melissa S. Wandersee, Comment. The far-reaching effects of reproduction as a "major life activity" under the ADA: what will this expansion mean to employers and their insured?, 3 J. Small & Emerging Bus. L. 429 (1999).

Bryan J. Warren, Recent decision. When determining whether an ADA claimant is disabled, the claimant's impairment must be considered in light of available corrective measures, and failure to meet DOT regulations does not establish that the claimant was regarded as disabled: (Murphy v. United Parcel Service, Inc., 119 S. Ct. 2133, 1999.), 38 Duq. L. Rev. 1143 (2000).

Jessica Lynne Wilson, Technology as a panacea: why pregnancy-related problems should be defined without regard to mitigating measure under the ADA, 52 Vand. L. Rev. 831 (1999).


**Education**


Note. Agostini v. Felton: Sanctioning a trend in the accommodation of educational services for underprivileged and disabled children, 29 Seton Hall L. Rev. 1008 (1999).


THE FOURTH "r": SUSTAINING THE ADA'S PRIVATE "RIGHT" OF ACTION AGAINST STATES FOR DISABILITY DISCRIMINATION IN PUBLIC EDUCATION, 83 0 (2006).


Suzanne Abram, The Americans with Disabilities Act in higher education: the plight of disabled


Lester Aron, Too much or not enough: How have the circuit courts defined a free appropriate public education after rowley?, 39 Suffolk Univ. L. Rev. 1 (2005).


Jane Easter Bahls, Disability dilemma: Are law schools helping or hurting their learning-disabled students by accommodating "hidden disabilities"?, 26 Student Law. 18 (1998).

Jeri D. Barclay, Student article. Fiscal accountability under the Individuals with Disabilities Education Act: how do we ensure the money is spent on handicapped education and related services?, 28 J.L. & Educ. 327 (1999).


Richard S. Boothby, Safety first: student discipline under the 1997 amendments to the IDEA and the need for reform., 63 Ohio St. L.J. 1683 (2002).

Richard S. Boothby, Note. Safety first: student discipline under the 1997 amendments to the IDEA and the need for further reform., 63 Ohio St. L.J. 1683 (2002).

Rebecca L. Bouchard, Note. Education law--the relationship between the Individuals with Disabilities Education Act and Section 1983: are compensatory damages an available and appropriate remedy?, 25 W. New Eng. L. Rev. 301 (2003).


Therese Craparo, Note: Remembering the "individuals" of the individuals with disabilities education act, 6 N. Y. U. J. Legis. & Pub. Pol'y 467 (2002).


Judith DeBerry, Comment. When parents and educators clash: are special education students entitled to a Cadillac education?, 34 St. Mary's L.J. 503 (2003).

Judith Deberry, WHEN PARENTS AND EDUCATORS CLASH: ARE SPECIAL EDUCATION


Sandra M. Di Iorio, Comment: Breaking idea's silence: Assigning the burden of proof at due process hearings and judicial proceedings brought by parents against a school district, 78 Temp. L. Rev. 719 (2005).


Demetra Edwards, New Amendments to Resolving Special Education Disputes: Any Good IDEAs?, 5 Pepperdine University School of Law 137 (2005).

Alessio David Evangelista, Full inclusion and the Individuals with Disabilities Education Act: a clear and convincing standard for cases involving the least restrictive environment provision, 6 The Digest 45 (1998).


Erin G. Frazor, "NO CHILD LEFT BEHIND" IN NEED OF A NEW "IDEA": A FLEXIBLE APPROACH


Robert A. Garda, Jr., Untangling Eligibility Requirements Under the Individuals with Disabilities Education Act, 69 Mo. L. Rev. 441 (2004).


Stefan R. Hanson, Buckhannon, Special Education Disputes, and Attorney’s Fees: Time for a Congressional Response Again, 2003 Brigham Young University 519 (2003).


Lucy Kats, Comment. The United States Supreme Court's limitations of the Individuals with Disabilities Education Act forces a court to prevent a disabled student from receiving a meaningful public education by denying him the necessary services of participation in athletics, 11 Seton Hall J. Sport L. 351 (2000).


Teresa K. LaMaster & John J. O'Brien, Road warriors: two parents' perspective on getting services for children with special needs, 5 J. Health Care L. & Pol'y 91 (2002).


Christopher Thomas Leahy & Michael A. Mugmon, ALLOCATION OF THE BURDEN OF PROOF IN INDIVIDUALS WITH DISABILITIES EDUCATION ACT DUE PROCESS CHALLENGES, 0 (2005).


Susan P. Leviton, Foreward, 5 J. Health Care L. & Pol'y 7 (2002).


Praveen Madhiraju, R.I.P. ritalin in proportion! The eighth circuit's restriction on a parent's right to have schools accommodate the needs of their disabled children: Debord and Davis, 95 NW. U. L. Rev. 4 1661 (2001).

Leslie Seid Margolis, The provision of school health services to students with disabilities: the intersection of health care policy, education and the law in the post-Garret F. era, 5 J. Health Care L. & Pol'y 99 (2002).


Thomas A. Mayes, Perry A. Zirkel & Dixie Snow Huefner, Article: Allocating the burden of proof in the administrative and judicial proceedings under the Individuals with Disabilities Education Act., 108 W. Va. L. Rev. 27 (2005).


Christopher M. Morrison, Note. High-stake tests and students with disabilities, 41 B.C. L. Rev. 1139 (2000).


Christopher Thomas Leahy & Michael A. Mugmon, ALLOCATION OF THE BURDEN OF PROOF IN INDIVIDUALS WITH DISABILITIES EDUCATION ACT DUE PROCESS CHALLENGES, 0 (2005).


Ranko Shiraki Oliver, Overview of federal laws protecting students with disabilities in colleges and universities, 34 Ark. Law. 20 (1999).


John d. Ransseen and Gregory S. Parks, TEST ACCOMMODATIONS FOR POSTSECONDARY STUDENTS: The Quandary Resulting From the ADA's Disability Definition, 11 Psychology, Public


Laura Rothstein, Disability Law and Higher Education: A Road Map for Where We've Been and Where We May Be Heading, 63 Md. L. Rev. 122 (2004).


Rex R. Schultze, Reading, writing and ritalin: the responsibility of public school districts to administer medications to students, 32 Creighton L. Rev. 793 (1999).


Lucy W. Shum, Comment. Educationally related mental health services for children with serious emotional disturbance: addressing barriers to access through the IDEA, 5 J. Health Care L. & Pol'y 233 (2002).


Kelly S. Thompson, Note. Limits on the ability to discipline disabled school children: do the 1997 amendments to the IDEA go far enough?, 32 Ind. L. Rev. 565 (1999).


Mark C. Weber, Disability harassment in the public schools, 43 Wm. & Mary L. Rev. 1079 (2002).


Ryan R. West, Note. The fallacy behind increased accountability: how disabled students' constitutional rights have been disregarded in a rush to implement high-stakes exams., 2002 BYU Educ. & L.J. 351 (2002).


Sheila Youngberg, Note. IDEA and the new inequity--the denial of subsidized services to privately schooled children with disabilities. (Hooks v. Clark County Sch. Dist., 228 F.3d 1036, 9th. Cir. 2000.), 24 Whittier L. Rev. 597 (2002).


**Employment/Employment Discrimination**


Austin L. McMullen, Disabled former employees under the ADA: unprincipled decisions and unpalatable results, 52 Vand. L. Rev. 769 (1999).


Cabrelle Abel, Note. To allow to sue, or not to allow to sue: Zimmerman v. Oregon Department of Justice decides Title II of the Americans with Disabilities Act does not apply to employment discrimination. (Zimmerman v. Oregon Dept. of Justice, 170 F.3d 1169, 9th Cir. 1999.), 24 Seattle


John Bisordi, Student article. "I can't work, just kidding, I can." The effects that applying for disability benefits have on an ADA claim, 45 Vill. L. Rev. 627 (2000).

Douglas A. Blair, Employees suffering from bipolar disorder or clinical depression: fighting an uphill battle for protection under Title 1 of the Americans with Disabilities Act, 29 Seton Hall L. Rev. 1347 (1999).


Peter Blanck, Helen A. Schartz & Kevin M. Schartz, Labor force participation and income of individuals with disabilities in sheltered and competitive employment: Cross-sectional and longitudinal analyses of seven states during the 1860s and 1990s, 44 Wm. & Mary L. Rev. 1029 (2003).


Kevin L. Cope, Sutton misconstrued: with the ADA should now permit employers to make their employees disabled., 98 NW U. L. Rev. 1753 (2003).


Darren M. Creasy, Notes: A union of formalism adn flexibility: allowing employers to set their own liability under federal employment discrimination laws., 44 Wm. & Mary L. Rev. 1453 (2003).

Kera Croteau, LACK OF UNITY IN ADA DECISIONS LEAVES BIPOLAR SUFFERERS


Tim Edwards, Constitutional limits on an employer's right to dictate the terms of an addict's recovery under the ADA: some sobering concerns, 44 Wayne L. Rev. 1679 (1999).


Mellissa A. Essary & Terence D. Friedman, Retaliation claims under Title VII, the ADEA and ADA: untouchable employees, uncertain employers, unresolved courts, 63 Mo. L. Rev. 115 (1998).


Maggie D. Gold, Comment. Must insurers treat all illnesses equally?--Mental vs. physical illness: congressional and administrative failure to end limitations to and exclusions from coverage for mental illness in employer-provided health benefits under the Mental Health Parity Act and the Americans with Disabilities Act, 4 Conn. Ins. L.J. 767 (1998).


Donna L. Mack, Comment. Former employees' right to relief under the Americans with Disabilities Act, Wash. L. Rev. 74 425 (1999).


Jaclyn A. Okin, has the supreme court gone too far?: an analysis of university of alabama v. garrett and its impact on people with disabilities., 9 Am. U. J. Gender Soc. Pol'y & L. 3 663 (0).


Pamela Signorello, Note. The failure of the ADA—achieving parity with respect to mental and physical health care coverage in the private employment realm, 10 Cornell J.L. & Pub. Pol'y 349 (2001).


Susan Stefan, "You'd have to be crazy to work here:" worker stress, the abusive workplace, and Title I of the ADA, 31 Loy. L.A. L. Rev. 795 (1998).


Miranda W. Turner, PSYCHIATRIC DISABILITIES IN THE FEDERAL WORKPLACE: EMPLOYMENT LAW CONSIDERATIONS, 55 The Air 0 (0).


General


In Memoriam. Stanley S. Herr's speech upon receiving the ABA Disability Rights Award, 8 Clinical L. Rev. 289 (2002).


Mariam Alikhan, Note. The ADA is narrowing mental health inquiries on bar applications: looking to the medical profession to decide where to go from here, 14 Geo. J. Legal Ethics 159 (2000).


Peter Blanck, Civil war pensions and disability, 62 Ohio St. L.J. 109 (2001).


Peter Blanck, Keynote address: Justice for all? stories about Americans with disabilities and their civil rights., 8 J. Gender Race & Just. 1 (2004).

Peter Blanck, FIRST THORNBURGH FAMILY LECTURE ON DISABILITY LAW AND POLICY. AMERICANS WITH DISABILITIES AND THEIR CIVIL RIGHTS: PAST, PRESENT, AND FUTURE, 66 University of Pittsburgh Law Review 0 (2006).


Keith Alan Byers, No one is above the law when it comes to the ADA and the Rehabilitation Act—not even federal, state, or local law enforcement agencies, 30 Loy. L.A. L. Rev. 977 (1997).


Ruth Colker, Affirmative protection for people with disabilities, illness, and parenting responsibilities under United States law, 9 Yale J.L. Feminism 213 (1997).


Joseph Groshong, Comment. Curbing state discrimination against disabled drivers: why the disabled need not pay the states to participate in disabled parking programs., 33 Seton Hall L. Rev. 811 (2003).

Kaaryn Gustafson, DISABILITY, FLUIDITY, AND MEASURING WITHOUT BASELINES, 75


Stacy A. Hickox, Absenteeism under the Family and Medical Leave Act and the Americans with Disabilities Act, 50 DePaul L. Rev. 183 (2000).

Sharona Hoffman, First, do no harm: why doctors are not omnipotent under the Americans with Disabilities Act, 14 Hofstra Lab. L.J. 151 (1996).


Lawrence W. Kaye & Jeffrey B. Maltzman, 'Twas the night before regulations: foreign-flag cruise ships and the ADA, 75 Tul. L. Rev. 1571 (2001).


Edward J. Larson, The meaning of human gene testing for disability rights., 70 U. Cinn. L. Rev. 913
Michael Lewyn, "Thou shalt not put a stumbling block before the blind": the Americans with Disabilities Act and public transit for the disabled, 52 Hastings L.J. 1037 (2001).


Arlene B. Mayerson and Silvia Yee, THe ADA and models of equality, 62 Ohio St. L.J. 535 (2001).

Monica E. McFadden, ADA-is the glass half empty or...?, Trial 28 (1997).


Adam A. Milani, Go ahead. Make my 90 days: should plaintiff be required to provide notice to defendants before filing suite under Title III of the Americans with Disabilities Act?, 2001 Wis. L. Rev. 107 (2001).


Kathryn Moss, Michael Ullman, Different paths to justice: the ADA, employment, and administrative enforcement by the EEOC and FEPAs, Behav. Sc. & L. 29 1999 (0).


John W. Parry, Mental and physical disability rights: the formative years and future prospects, 20 MPDLR 627 (1996).


Heidi P. Perryman, PARENTAL REACTION TO THE DISABLED CHILD: IMPLICATIONS FOR FAMILY COURTS, 43 Family Court Review October, 2005 596 (2005).


Robert F. Rich, et al., Critical legal and policy issues for people with disabilities., 6 DePaul J. Health


Laura F. Rothstein, Celebrating the tenth anniversary of the Americans with Disabilities Act, 37 Hous. L. Rev. 979 (2000).


Lisa A. Sciallo, Note. The ADA through the looking glass., 68 Brook. L. Rev. 589 (2002).


Yama Shansab, Note. And what of the meek?: Devising a constitutionally recognized duty to protect the disabled at state residential schools, 6 Wm. & Mary Bill of Rts. J. 777 (1998).


Michael Ashley Stein, Foreword: Disability and Identity, 44 Wm. & Mary L. Rev. 907 (2003).


Danielle Strickman, From the consumer's viewpoint: have attorneys aided in compliance with the Americans with Disabilities Act?, 34 Ark. Law. 14 (1999).


Kim Brooks Tandy & Teresa Heffernan, SPECIAL ISSUE ON LEGAL REPRESENTATION OF CHILDREN: RESPONSES TO THE CONFERENCE: Representing Children with Disabilities: Legal and Ethical Considerations, 6 Nevada Law Journal Spring, 2006 1396 (2006).


Marta B. Varela, Protection of domestic violence victims under the New York City Human Rights


James R. Wade, Recent developments in representing disabled clients, 5/1/97 Tr. & Est. 35 (1997).


Aaron J. Walker, Note. "No distinction would be tolerated": Thaddeus Stevens, disability, and the original intent of the Equal Protection Clause, 19 Yale L. & Pol'y Rev. 265 (2000).


Amy L. Wax, Disability, reciprocity, and "Real efficiency": unified approach., 44 Wm. & Mary L.Rev. 1421 (2003).


Adrien Katherine Wing, Examining the correlation between disability and poverty: a comment from a critical race feminist perspective - helping the Joneses to keep up!, 8 . J. Gender Race & Just 655 (2005).


Jason Zarin, Beyond the bright line: Consideration of externalities, the meaning of undue hardship, and the allocation of the burden of proof under Title I of the Americans with Disabilities Act, 7 S. Cal. Interdisc. L.J. 511 (1998).

Health


Mary Anne Bobinski, Patients and providers in the courts: fractures in the Americans with Disabilities Act, 61 Alb. L. Rev. 785 (1998).


Mary Crossley, Becoming visible: the ADA's impact on health care for persons with disabilities, 52 Ala. L. Rev. 51 (2000).

Evan G. DeRenzo, et al., Assessment of capacity to give consent to research participation: state-of-the-art and beyond, 1 J. Health Care L. & Pol'y 66 (1998).


Diane E. Hoffman & Jack Schwartz, Proxy consent to participation of the decisionally impaired in medical research--Maryland's policy initiative, 1 J. Health Care L. & Pol'y 123 (1998).


Adam A. Milani, Re-defing Disability. Legal protection for individual with HIV, genetic predispositions to disease, or asymptomatic diseases. Articles by Paul Steven Miller, David W. Webber, Lawrence O. Gostin, Laura F. Rothstein, Deborah Kaplan, Katherine A. Schneider, 3 J. Health Care L. & Pol'y 225 (2000).

Adam A. Milani, "Oh, say, can I see--and who do I sue if I can't?" wheelchair users, sightlines over standing spectators, and architect liability under the Americans with Disabilities Act, 52 Fla. L. Rev. 523 (2000).


Jonathan D. Moreno, Regulation of research on the decisionally impaired; history and gaps in the current regulatory system, 1 J. Health Care L. & Pol'y 1 (1998).

Paul A. Nidich, Ethics, the National Bioethics Advisory Commission's report on research involving the mentally disordered, and therapeutic jurisprudence, 3 DePaul J. Health Care L. 527 (2000).


Peter V. Rabins, Issues raised by research using persons suffering from dementia who have impaired decisional capacity, 1 J. Health Care L. & Pol'y 22 (1998).

Laura F. Rothstein, Genetic discrimination: why Bragdon does not ensure protection, 3 J. HealthCare L. & Pol'y 330 (2000).


Katherine A. Schneider, Adverse impact of predisposition testing on major life activities: lessons from BRCA1/2 testing, 3 J. Health Care L. & Pol'y 365 (2000).

Jill L. Schultz, Note. The impact of Title III of the Americans with Disabilities Act on employer-provided insurance plans: is the insurance company subject to liability?, 56 Wash. & Lee L. Rev. 343 (1999).

Lois Shepherd, HIV, the ADA, and the duty to treat, 37 Hous. L. Rev. 1055 (2000).


Clarence J. Sundram, In harm's way: research subjects who are decisionally impaired, 1 J. Health Care L. & Pol'y 36 (1998).

Joel Teitelbaum & Sara Rosenbaum, Medical Care as a Public Accommodation: Moving the Discussion to Race, 29 American Journal of Law & Medicine 381 (2003).


David W. Webber & Lawrence O. Gostin, Discrimination based on HIV/AIDS and other health conditions: "disability" as defined under federal and state law, 3 J. Health Care L. & Pol'y 266 (2000).

Alison Wichman, Protecting vulnerable research subjects: practical realities of institutional review board review and approval, 1 J. Health Care L. & Pol'y 88 (1998).


History

Peter Blanck & Chen Song, "Never forget what they did here": Civil War pensions for Gettysburg union army veterans and disability in nineteenth-century America., 44 Wm. & Mary L. Rev. 1029 (2003).


Housing

Article: Barriers to accessible housing: enforce-ment issues in "design and construction" cases under the fair housing act*, 40 U. Rich. L. Rev. 753 (2006).


Stephen F. Befort & Tracey H. Donesky, Reassignment under the Americans with Disabilities Act: reasonable accommodation, affirmative action, or both?, 57 Wash. & Lee L. Rev. 1045 (2000).


Jennifer L. Dolak, Note. The FHAA's reasonable accomodation & direct threat provisions as applied to disabled individuals who become disruptive, abusive, or destructive in their housing environment., 36 Ind. L. Rev. 759 (2003).


Rachel Rubey, Note. There's no place like home: housing for the most vulnerable individual with severe mental disabilities,, 63 Ohio St. L.J. 1729 (2002).


Frederic White , Outing the madman: fair housing for the mentally handicapped and their right to privacy versus the landlord's duty to warn and protect, 28 Fordham Urb. L.J. 783 (2001).

Frederic White, Outing the madman*: fair housing for the mentally handicapped and their right to privacy versus the landlord's duty to warn and protect, 10 J. Affordable Housing & Commun. Dev. L. 372 (2001).

Insurance


Jennifer S. Geetter, The condition dilemma: a new approach to insurance coverage of disabilities, 37


Lori Bloch Izzo, Note. The ADA does not regulate the content of insurance policies, but what have cameras, Braille books or wheelchairs got to do with it? (Doe v. Mutual of Omaha, 179 F.3d 557, 7th Cir. 1999.), 7 Conn. Ins. L.J. 263 (2000).

Christopher Aaron Jones, Legislative “Subterfuge”? Failing to insure persons with mental illness under the Mental Health Parity Act and The Americans with Disabilities Act, 50 Vand. L. Rev. 753 (1997).


Mathew G. Simon, Not All Illnesses Are Treated Equally - Does a Disability Benefits Plan Violate the ADA by Providing Less Generous Long-Term Benefits for Mentally Disabled Employees than for


International


Sally Chaffin, CHALLENGING THE UNITED STATES POSITION ON A UNITED NATIONS CONVENTION ON DISABILITY, 15 Temple Political & Civil Rights Law Review Fall, 2005 121 (2005).

Christian Courtis, Disability rights in Latin America and international cooperation., 9 Sw. J. L. & Trade Am. 109 (2002).

Christian Courtis, DISABILITY RIGHTS IN LATIN AMERICA AND INTERNATIONAL


Barbara Hanson, DOG-FOCUSED LAW'S IMPACT ON DISABILITY RIGHTS: ONTARIO'S PIT BULL LEGISLATION AS A CASE IN POINT, 12 Animal Law 217 (2006).


Arlene S. Kanter, Chris Nugent, and C. Blake Chisam, The Need for Representation of People with


**Learning Disabilities**


Jeff Brown, A learning-disabled lawyer's perspective: a response to "lowering the bar" integrity, stereotypical attitudes and reasonable accommodations, 42 S. Tex L. Rev. 129 (2000).


Freedley Hunsicker, Learning disabilities, law schools and the lowering of the bar, 42 S. Tex. L. Rev. 1 (2000).


Donald H. Stone, What law schools are doing to accommodate students with learning disabilities, 42 S. Tex. L. Rev. 19 (2000).


Medical


Sara Noel, Parity in mental health coverage: The goal equal access to mental health treatment under the Mental Health Parity Act of 1996 and the Mental Health Equitable Treatment Act of 2001., 26 Hamline L.Rev. 377 (2003).


Mental Health


Michael Avery, Unreasonable seizures of unreasonable people: defining the totality of circumstances relevant to assessing the police use of force against emotionally disturbed people., 34 Colum. Hum.
Jennifer S. Bard, Article: Re-arranging deck chairs on the titanic: why the incarceration of individuals with serious mental illness violates public health, ethical and constitutional principles and therefore cannot be made right by piecemeal changes to the insanity defense., 1 (0).


Kelly R. Becton, Comment. The Americans with Disabilities Act should not impair the regulation of the legal profession where mental health is an issue, 49 Okla. L. Rev. 353 (1996).


Steven J. Cleveland, Note. Sterilization of the mentally disabled: applying error cost analysis to the "best interest" inquiry, 86 Geo. L.J. 137 (1997).


Jan C. Costello, Why have hearings for kids if you're not going to listen?: a therapeutic jurisprudence approach to mental disability proceedings for minors., 71 U. Cin. L. Rev. 19 (2002).


Joanmarie Ilaria Davoli, Still stuck in the Cuckoo's Nest: why do courts continue to rely on antiquated mental illness research?, 69 Tenn. L. Rev. 987 (2002).


Hilary Duke, Note. The narrowing of state bar examiner inquiries into the mental health of bar applicants: bar examiner objectives are met better through attorney education, rehabilitation, and discipline, 11 Geo. J. Legal Ethics 101 (1997).


Tami A. Earnhart, Note. Medicated mental impairments under the ADA: diagnosing the problem, prescribing the solution, 74 Ind. L.J. 251 (1998).


David A. Green, "I'm Ok - You're Ok": educating lawyers to "maintina a normal client-lawyer relationship" with a client with a mental disability., 28 J. Legal Prof. 65 (2004).


Ann Hubbard, The ADA, the workplace, and the myth of the "dangerous mentally ill", 34 U.C. Davis L. Rev. 849 (2001).


John Q. La Fond, Outpatient commitment's next frontier: sexual predators., 9 Psychol. Pub. Pol'y & L.


Keith Nelson, Comment. Legislative and judicial solutions for mental health parity: S.543, reasonable accommodation, and an individualized remedy under Title I of the ADA, 51 Am. U. L. Rev. 91 (2001).


Susan Stefan, "Discredited" and "Discreditable": the search for political identity by people with psychiatric diagnoses., 44 Wm. & Mary L.Rev. 1341 (2003).


Winiviere Sy, Comment. The right of institutionalized disabled patients to engage in consensual sexual activity, 23 Whittier L. Rev. 545 (2001).


Roederick C. White, Sr., What right to privacy? The risk to the voluntary mental health patient as a result of Louisiana's current forcible medication statute, 24 S.U. L. Rev. 1 (1996).


Kathleen Winchell, Student article. The need to close Kentucky's revolving door proposal for a movement towards a socially responsible approach to treatment and commitment of the mentally ill, 29 N.Ky. L. Rev. 189 (2002).


**Nursing Home/For-Profit Providers**


**Prisons**


Christopher J. Burke, Note. Winning the battle, losing the war?: judicial scrutiny of prisoners' statutory claims under The American With Disabilities Act, 98 Mich. L. Rev. 482 (1999).


Brian Lester, The Americans with Disabilities Act and the exclusion of inmates from services in prisons: a proposed analytical approach regarding the appropriate level of judicial scrutiny of a prisoner's ADA claim., 79 N.D. L. Rev. 83 (2003).


Michael L. Perlin, "For the misdemeanor outlaw": the impact of the ADA on the institutionalization of criminal defendants with mental disabilities, 52 Ala. L. Rev. 193 (2000).


**Resources for People with Disabilities**


Elizabeth McKenzie & Kathleen E. Casey, Using adaptive technology to provide access to blind, low-vision, and dyslexic patrons, 90 Law Lib. J. 157 (1998).


Social Security


Dean Spade, Undeserving addicts: SSI/SSD and the penalties of poverty., 5 Howard Scroll 89 (2002).


Sports


Janet Barbookles, Comment. Creating reasonable accommodations without an undue burden: the future effects the ADA will have on golf courses., 33 Golden Gate U. L. Rev. 71 (2003).


W. Kent Davis, Why is the PGA teed off at Casey Martin? An example of how the Americans with Disabilities Act (ADA) has changed sports law, 9 Marq. Sports L.J. 1 (1998).

Erik Ekblad, Comment. A slice into the sand trap: why the PGA was unwise in its decision to push its dispute with Casey Martin to the Supreme Court. (PGA Tour, Inc. v. Martin, 532 U.S. 661, 2001.), 32 Sw.U. L. Rev. 151 (2003).


Todd A. Hentges, Driving in the fairway incurs no penalty: Martin v PGA Tour, Inc. and discriminatory boundaries in the Americans with Disabilities Act, 18 Law & Ineq. 131 (2000).


Jason Kroll, SECOND CLASS ATHLETES: THE USOC’S TREATMENT OF ITS PARALYMPIANS, 23


Darryl J. Liguori, Note. Fore! The Supreme Court tees off a standard to apply the Americans with Disabilities Act to professional sports in ... (PGA Tour, Inc. v. Martin, 532 U.S. 661, 2001.), 12 Widener L.J. 185 (2003).


David A. Monaghan, Recent decision. Title III of the ADA allows a qualified disabled entrant to use a motorized cart on the Professional Golf Tour. (PGA Tour, Inc. v. Martin, 121 S. Ct. 1879, 2001, 40 Duq. L. Rev. 403 (2002).


Christopher M. Parent, Casey Martin's four-year struggle with the PGA tour., 9 Sports Law. J. 57 (2002).
Julie A. Ranieri, Case comment. Constitutional law--Americans with Disabilities Act swings in a new
direction: Title III's coverage is extended. (PGA Tour, Inc. v. Martin, 532 U.S. 661, 2001.), 36 Suffolk

Kelly M. Trainor, THE NCAA'S INITIAL ELIGIBILITY REQUIREMENTS AND THE AMERICANS
WITH DISABILITIES ACT IN THE POST-PGA TOUR V. MARTIN ERA: AND ARGUMENT IN FAVOR

Tracy Elizabeth Walsh, Civil Rights - Americans with Disabilities Act - the PGA is subject to the ADA
because it is not a private club and its tournaments are places of public accommodation Martin v PGA

Martha Lee Walters & Suzanne Bradley Chati, When the only way to equal is to acknowledge

Martha Lee Walters & Suzanne Bradley Chanti, When the Only Way to Equal Is to Acknowledge

Andrew I. Warden, Comment. Driving the green: the impact of PGA Tour, Inc. v. Martin on disabled
athletes and the future of competitive sports. (PGA Tour, Inc. v. Martin, 121 S. Ct. 1879, 2001.), 80

Michael Waterstone, Let's be reasonable here: why the ADA will not ruin professional sports, 00 BYU
L. Rev. 1489 (2000).

Scott A. Weinberg, Casenote. Analysis of Martin v. Professional Golfers' ass'n Tour, Inc.--Applying
the ADA to the PGA is a hole in one for disabled golfer. (Martin v. PGA TOUR, 204 F.3d 994, 9th Cir.

Maureen A. Weston, Academic standards or discriminatory hoops? Learning-disabled student-
athletes and the NCAA initial academic eligibility requirements, 66 Tenn. L. Rev. 1049 (1999).

James B. York, Note. And the winner is ... trial lawyers: when does an accomodation under Title III of
the ADA represent a fundamental alteration of competitive sports? (PGA tour v. Martin, 532 U.S. 661,

Carlos A. Zumpano, Student article. Inter-collegiate athletics, disablility and the Rehabilitation Act:

State Laws


Sande L. Buhai, SOCIAL JUSTICE IN THE 21ST CENTURY: IN THE MEANTIME: STATE
PROTECTION OF DISABILITY CIVIL RIGHTS, 37 Loyola of Los Angeles Law Review Spring, 2004

Sande L. Buhai, SOCIAL JUSTICE IN THE 21ST CENTURY: IN THE MEANTIME: STATE
PROTECTION OF DISABILITY CIVIL RIGHTS, 37 Loyola of Los Angeles Law Review Spring, 2004

Luther A. Grandquist, RECENT DECISIONS OF THE MINNESOTA SUPREME COURT: ARTICLE:


Right to Die/Physician-Assisted Suicide


Samuel R. Bagenstos, DISABILITY, LIFE, DEATH, AND CHOICE, 29 Harvard Journal of Law &


