

PHOTO BY MARSHALL CLARKE

SHAPING THE LANDSCAPE WITH BY CHRISTINE STUTZ LANDMARK ADVOCACY

For Stan Herr, public service is not something to do on the side, or when there's free time. It's fundamental to who he is and how he lives his life.

As his law school colleague Jerome Deise says, “Most of us who are colleagues of Stan Herr aspire to be outstanding lawyers, or outstanding teachers, or outstanding scholars. It’s exceedingly rare when one finds a person who is an outstanding teacher, lawyer and scholar. Stan Herr is one such rarity.”

Herr is not sure precisely what fuels his passion for championing the underdog. When pressed, he recalls his parents’ commitment to community service, or his summer work-camp experiences as a teenager with the American Jewish Society for Service, building water systems on a Cherokee reservation in North Carolina. His father, Louis, was a Lithuanian immigrant who owned a building materials business in Newark, N.J., and his mother, Ruth, was a homemaker. They were community-minded, Herr says, and gave him a sense of responsibility for others.

After graduating from Yale Law School and starting work as a pro bono attorney in a Washington, D.C. firm, Herr decided to focus on protecting the rights of children. “Children are as voiceless a group in society as there can be,” he says. Herr says he wasn’t sure what he was getting into when he began his pro bono practice of children’s law in 1970. The first case he ever tried as an attorney involved “the worst orphanage I had ever seen,” he explains. In 1971, he won one of the nation’s first rulings on “wholesome environment” for people in congregate care and had the children

placed in better settings. A year later, he handled a case “they’ll probably put on my tombstone,” he asserts: *Mills v. Board of Education*. It was a class-action suit filed by Herr on behalf of seven District of Columbia children who had been denied access to public education because of their physical, mental or emotional limitations. It is considered a landmark case in securing access to an adequate public education for children with disabilities.

The *Mills* case led to 38 similar cases nationwide, and three years later Congress passed the Individuals with Disabilities Education Act. Herr eventually earned a fellowship to Oxford University in England, to obtain an international perspective on disability rights and earn a doctor of philosophy degree. In addition, he conducted research at Columbia and Harvard law schools.

Wherever it comes from, there’s no doubting the sincerity of his compassion for the marginalized people in our society. His work for homeless persons and those with mental retardation and other disabilities have earned him the affection and respect of his students and clients and numerous accolades from colleagues. “There’s no question that Stan Herr has been the professor who has influenced me the most in law school,” says Chris Coffin, Class of ’99. “Stan’s not only so knowledgeable about the law, he also adds a humanistic approach to advocating for people. He’s genuinely interested in the well-being of the clients and brings a

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—Jerome Deise

human aspect to the work—and he’s very emotional about his work.”

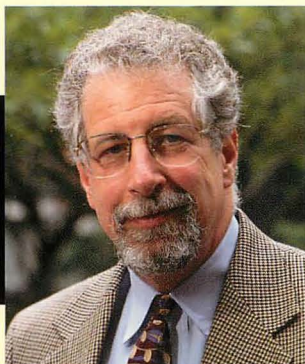
Herr won three awards last spring for his work in advancing the rights of persons with disabilities. In addition, he has been named the Mary Switzer Distinguished Research Fellow for 1999-2000, and is spending this sabbatical year in Israel to continue his comparative research on the disability discrimination laws of the United States, Israel and other countries. The Switzer Fellowship is awarded by the U.S. Department of Education’s National Institute on Disability and Rehabilitation Research.

Herr is a pioneer in securing civil rights for people with disabilities and people who are homeless. His efforts have included testifying before the U.S. Congress, litigating in court, lecturing to

the public, and supervising student attorneys who represent hundreds of disadvantaged clients. As a result, state and national public policy concerning the rights of people with disabilities and the homeless have changed.

In 1996, Herr successfully lobbied state officials to re-establish a financial support program for people without homes. On the national level, Herr argued the case that led to the passage of a federal law guaranteeing the right to free and appropriate education for all children with disabilities. He also served as a Kennedy Public Policy Fellow in the White House, with responsibility for developing public policy on disability.

He is president of the American Association on Mental Retardation, co-founder and vice president of the Homeless Persons Representation Project, and commissioner of the American Bar Association’s Commission on Mental and Physical Disability Law.



Locally, Herr received the Maryland Bar Foundation’s Legal Excellence Award for advancing the rights of the disadvantaged. He was one of three faculty members in the University System of Maryland to receive a Regents Faculty Award for Excellence in Public Service and also received the Rosemary F. Dybwad Distinguished Leadership Award from the National Institute for People with Disabilities.

In 1983, Clinton Bamberger, now professor emeritus, recruited Herr to teach at Maryland. Although Herr says he wasn’t sure about the idea of teaching, “I discovered I do love to teach.” Though he’s a member of the clinical faculty, about one-third of the courses Herr teaches—such as seminars on civil rights and the legal rights of the homeless—are outside the clinic. Herr says students in his clinics enjoy the gratitude they receive from their clients. Part of the reason for their rewarding experiences might be the fact that Herr encourages his students to become personally involved with people in the disabled community, by volunteering with Special Olympics, for example.

David Mitchell ’96, superintendent of the Maryland State Police, took Herr’s disability law clinic. He was initially apprehensive about his ability to perform clinical work, because of the demands of his job as police chief for Prince George’s County. But Herr encouraged Mitchell, a longtime volunteer with Special Olympics, to give it a try. Now, much of Mitchell’s private pro bono practice work is in the area of disability law. “Stan has changed the face of disability law,” says Mitchell. Not only in the landmark cases he has argued, he says, but in his ability to inspire young lawyers to take up the cause, and to make time for pro bono service. “His efforts are exponential in that regard,” he says. **▮**

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