



## **National Disability Rights Network**

### **Job Announcement**

#### **Staff Attorney**

The National Disability Rights Network (NDRN), a leading national organization on the rights of persons with disabilities located in Washington, D.C., seeks an attorney to provide training and technical assistance to attorneys and advocates who work for the federally created Protection and Advocacy (P&A) system. The attorney will focus on the rights of adults with mental health and developmental disabilities, traumatic brain injury and other disabilities, and on the authorities in the P&A federal statutes and regulations. This attorney position is critical for NDRN to support the work of the P&A system to address the abuse and neglect of persons with disabilities within both facilities and in the community.

Specifically, the staff attorney will assist P&A system attorneys and advocates with the following:

- To address abuse and neglect of adults with disabilities such as the failure to provide proper outpatient services; the failure to provide community services; improper or illegal use of restraint and seclusion; physical violence or neglect; and substandard or inadequate treatment or services in psychiatric facilities, intermediate care facilities, community group homes, or other locations where services are provided to adults with disabilities.
- To utilize the federal P&A statutory authorities which allow P&A agencies to access places where persons with disabilities receive services, their records, and to initiate litigation to protect their rights.

## **Who We Are:**

NDRN is the nonprofit membership organization for the network of Congressionally mandated disability rights agencies known as the Protection and Advocacy (P&A) Systems and Client Assistance Programs (CAP). A P&A and CAP agency is located in every state, the District of Columbia, the five U.S. territories, and one affiliated with the American Indian Consortium in the Four Corners region. P&A agencies have the authority to provide legal representation and other advocacy services, under federal laws, to all people with disabilities. The P&A/CAP network is collectively the largest provider of legal services to people with disabilities in the United States.

NDRN provides training, technical assistance, and legal support to the P&A/CAP agencies through its Training and Technical Assistance Support Center (TASC). NDRN also provides membership benefits, and is involved in public policy efforts to create a society in which people with disabilities are afforded equal opportunity and are able to fully participate by exercising choice and self-determination. For more information about NDRN and TASC visit [www.ndrn.org](http://www.ndrn.org).

## **Responsibilities of the Staff Attorney Include:**

- Provide technical assistance to P&A system staff on legal and other advocacy responses in order to address abuse and neglect of persons with disabilities. This includes assisting P&A's as they develop responses to the failure to provide proper outpatient services; failure to provide community services; improper or illegal use of restraint and seclusion; physical violence or neglect; and substandard or inadequate treatment in services in psychiatric facilities, intermediate care facilities, community group homes, or other locations where services are provided to adults with disabilities.
- Provide technical assistance on the P&A statutory authorities, including access to records, persons with disabilities, and locations where service are provided to persons with disabilities, and P&A associational standing in federal court. Technical assistance will

involve providing advice on litigation strategies along with other advocacy approaches.

- Collaborate with other NDRN staff to provide technical assistance to P&A staff related to P&A monitoring and investigations.
- Develop, coordinate, and conduct distance and in-person trainings to meet the identified training needs of P&A staff in order to enhance and expand their ability to address incidents of abuse and neglect and other rights violations, and to best utilize the P&A statutory authorities.
- Create, update, and maintain relevant training and technical assistance resources and participate on relevant forums in areas related to abuse and neglect, rights violations, and the P&A statutory authorities.
- Broker expertise among the P&A/CAP system and work with outside experts to promote the sharing of resources and the quality of services across the network.
- Develop and expand collaborations with appropriate federal agencies, other national disability, education and civil rights advocacy organizations, and related coalitions.
- Draft proposals and develop position papers regarding relevant laws, regulations, policies, and practices which impact the P&A system and the rights of persons with disabilities.
- Provide subject matter expertise to support NDRN special projects, grants, and be available if necessary to federal and state policy makers concerning assigned areas, including the P&A statutory authorities.
- Contribute to and prepare articles and reports that enhance the image and visibility of the P&A system and promote collaboration with other disability organizations and state and federal policy makers.
- Compile and draft reports concerning technical assistance, training, and collaborative work to demonstrate the efficacy of

the P&A/CAP system and NDRN, including those required by funders.

- Contribute to regularly circulated training and technical assistance publications, and produce other publications as required.

### **Required Qualifications:**

- A Juris Doctorate degree from an accredited law school, with a minimum of 3 to 5 years of experience in legal practice. Good standing to practice law in at least one state or the District of Columbia.
- Experience representing and advising clients with disabilities or organizations which advocate for persons with disabilities to address abuse and neglect or the provision of services to persons with disabilities under federal or state law. Preference with representing clients with mental health disabilities, developmental disabilities, or traumatic brain injuries.
- Direct experience representing clients in federal court including drafting complaints and motions, conducting depositions, participating in settlement negotiations, and monitoring settlement agreements or court orders. Preference for more recent federal court experience.
- Strong understanding of the roles and responsibilities of the P&A system. Prior experience working with a P&A agency required.
- A solid understanding of disability rights laws including the Americans with Disabilities Act and Title V of the Rehabilitation Act of 1973, as amended; and laws which address mental capacity and the mental health and/or developmental disability service system.
- Demonstrated commitment to civil rights, equity, and social justice.
- Ability to communicate effectively in writing and orally.

- Excellent legal research and analytical skills.
- Demonstrated interpersonal skills, including but not limited to sensitivity to other people and the ability to work cooperatively with others.

**Preferred Qualifications:**

- Direct experience with P&A access authorities, with preference for litigation experience involving such authorities.
- Strong knowledge of federal court standing requirements.
- Experience in federal civil rights class action litigation to directly address the rights of persons with disabilities.
- Knowledge of the service delivery system and the rights and issues facing person with mental health and developmental disabilities. Background in mental health competency issues or treatment.
- Involvement with filing a complaint with a federal office of civil rights.
- Experience presenting and training with large and small groups to convey specialized content to adult learners.
- Understanding of the Center for Medicare and Medicaid Services (CMS) Conditions of Participation or the Joint Commission accreditation standards.

**Location and Travel:**

The position will be located at NDRN's office in Washington, D.C. Partial remote work may be considered only for the most highly qualified candidate with exceptional personal circumstances. The position requires some travel and occasional work on weekends.

**Compensation and Benefits:**

NDRN offers a competitive salary, based on experience. Benefits include health plan; Flexible Spending Account; transit and parking benefits; 403(b)

retirement plan; paid vacation and sick leave, and at least ten paid holidays.

The **salary range** for this position is \$80,000 to \$95,000.

**How To Apply:**

**Submit a cover letter, resume, and salary requirements attention: David Hutt, Esq., Ph.D., Deputy Executive Director for Legal Services.** See closing date below for more information on NDRN's dates for reviewing applications.

**E-mail to: [LegalUnitPosition@ndrn.org](mailto:LegalUnitPosition@ndrn.org) (Subject: Staff Attorney Position); or**

**Mail to: 820 First Street, NE, Suite 740, Washington, DC 20002.**

No phone calls please.

**Closing date:**

Candidates will be selected for consideration **on a rolling basis beginning on April 11th. No application will be considered after April 29, 2022.** Candidates selected for an interview will be required to submit a writing sample.

**NDRN is an equal opportunity/affirmative action employer.** Qualified applicants will receive consideration for employment without regard to age, race, color, religion, sex, national origin, sexual orientation, gender identity, disability or protected veteran status.

**Persons from diverse racial and ethnic backgrounds, and persons with disabilities are strongly encouraged to apply.**

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