

* Teaneck Suburbanite
July 14, 1993

Spec. ed. champion wins lawyer's rights

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TEANECK — Veteran special education children's advocate Marilyn Arons has won another victory for federal court practice by persons who are not attorneys, she announced last week.

U.S. Magistrate Robert Kugler, sitting in Camden, ruled July 2 that Arons has the same rights involving confidentiality and privileged information as those permitted a licensed attorney. Arons was represented in the action by Eric Neisser, professor at

Rutgers Law School.

The local woman, who is nationally recognized for her expertise in special education law, said the issue came from a long-standing case in which she has been seeking help for a multiply-handicapped girl from Monroe Township in Gloucester County. The school board, which was resisting the expensive residential placement needed for the girl, wanted to get information from Arons on what advice she had given the family, as well as copies of her correspondence.

The state Division of De-

velopmental Disabilities has also been involved in the case, because Arons maintains the state agency is required under federal law to help the local district pay for residential care for the child.

Arons resisted their efforts to obtain what she considered confidential information and Judge Kugler agreed with her.

The Teaneck woman was particularly excited about the ruling, because it boosts the nationwide reexamination of issues surrounding non-lawyer practice in the courts. The American Bar Association is

currently considering certifying what would be known as lawyer-technicians, as opposed to lawyers, she explained.

Five years ago Arons won another major case, a suit against the state of New Jersey seeking the right to be paid for her advocacy work which until then would have meant unauthorized practice of law. The Third Circuit Court ruled Arons could be paid as a consultant. A public outcry stymied the passage of proposed legislation that would have barred her appearance on behalf of disabled children and their parents.