



Advocates for Children of New York

Protecting every child's right to learn

Deferred Associate

About us

For 40 years Advocates for Children of New York (AFC) has worked in partnership with New York City's most disadvantaged families to secure quality and equal public education services. AFC works on behalf of children from infancy to age 26 who are at greatest risk for school-based discrimination and/or academic failure. These include children with disabilities, ethnic minorities, immigrants, homeless children, foster care children, limited English proficient children and those living in poverty.

We are accepting applications for deferred associates from law firms at Advocates for Children.

A deferred associate at AFC could participate in one or all of the three projects listed below. Deferred Associates will receive a high level of supervision and participate in all training and staff development opportunities available to AFC attorneys and advocacy staff. In addition to daily contact as needed with supervising attorneys with expertise in the field, there are weekly supervision meetings and monthly meetings to discuss trends in the field, strategy, and skills.

Direct Representation in Individual Special Education Cases

The deferred associate would represent New York City parents of children with disabilities who have not received appropriate educational services in accordance with federal and state disability law. In New York City, where there is an unusually low success rate for educating children with disabilities, these cases primarily involve students with disabilities that have been undiagnosed or diagnosed inaccurately and/or students who have not received special education placements and services that appropriately serve their needs. For example, we frequently see cases of high school-aged students with average IQs and learning disabilities, who have never received appropriate instruction and are reading on a first or second grade level.

Deferred Associates will file for Impartial Hearings and represent the families through the process and with any necessary appeals. The Impartial Hearing is an administrative hearing which requires legal briefs, motions, direct and cross examinations, and opening and closing statements. The potential relief that can be gained through these hearings includes Department of

Education payment for tutoring or other remediation services, related services such as speech therapy or occupational therapy, and tuition to private special education schools. In the event of an adverse decision, the first appeal is still within the administrative system to a state review officer. After that, all appeals will be filed in federal court. This work is not only personally rewarding for the positive impact an attorney can have on an individual's life, but also provides a great opportunity to develop essential litigation skills.

AFC deferred associates working on direct service cases will also have the opportunity to work in tandem with their law firm. AFC's pro bono coordinator will train interested deferred associates in the process of co-counseling and advising pro bono volunteers from the firm. The deferred associate could then assist the law firm in developing and/or expanding their current education pro bono project. In this way, the law firm would gain internal knowledge in education law, while working toward the goal of providing legal representation to more families in need. Upon returning to their firms, attorneys with the deferred associate experience would be well prepared to continue developing their firm's pro bono program.

Federal Litigation

The deferred associate would assist our Director of Federal Litigation in all aspects of current litigation and the development of new litigation. Advocates for Children is currently working on active class actions against the New York City Department of Education and is involved in ongoing settlement monitoring in two other class actions involving appropriate education for New York City public school students. Among other issues, current class actions address illegal school push-outs, discriminatory treatment of students with behavioral problems, inadequate enforcement of administrative hearing decisions, and inappropriate delivery of special education services. AFC also represents individuals in federal court proceedings and submits amicus briefs in state and federal cases related to the education field. The deferred associate would take an active role in our federal litigation, including briefs, court appearances, settlement negotiations, client meetings, meetings with co-counsel, and legal research. In addition, the attorney would assist in investigating and developing new litigation for the organization.

Juvenile Justice Educational Advocacy Project

Finally, deferred associates could work as part of AFC's Juvenile Justice Educational Advocacy Project (JJEAP) to conduct direct service representation, research, and policy advocacy on behalf of court-involved youth experiencing school-related problems. This project focuses on the massive need for education-related advocacy for court-involved youth.

Well over 6,000 New York City students become involved with the juvenile justice system each year. For many of these young people, neither school nor community resources have been used to identify or appropriately address the learning disability or emotional or psychiatric disorder that underlies an academic or behavioral problem. Court involvement often magnifies the consequences of school failure or creates additional problems with students' education. Students attempting to reenroll in community schools after placements in the juvenile justice system often face significant delays and are denied appropriate educational programs and support services. Many misguided and sometimes discriminatory school practices directly contribute to youth

involvement in the Family and Criminal Courts, comprising a major share of what is often referred to as the School-to-Prison Pipeline. JJEAP is the only project in New York City providing in-depth case advocacy to address the education-related needs of court-involved youth while also playing a leading role in coalitions that focus on the education-related policies and practices of the School-to-Prison Pipeline.

Qualifications:

Experience in civil rights, education law, and/or disability law strongly preferred. Members of NYS Bar preferred.

How to Apply

Please e-mail resume and cover letter to deferredassociate@advocatesforchildren.org

No phone calls, please.