

My Disability Makes Me a Better Lawyer

By KIMBERLY JACOBSEN



Envision yourself as a partner in a law firm when an associate tells you that they have been diagnosed with a brain disorder. The associate explains that the disease may affect their ability to verbally communicate clearly, cause them to have slow movement and stutter, lose their balance, and display limited facial expressions—what would go through your mind? The symptoms I described are common in Parkinson’s Disease (PD). I am a lawyer working with PD.

Most of the last 20 years I have worked as an attorney for the Connecticut Commission on Human Rights (CHRO), the state’s civil rights agency. A good deal of my practice has consisted of assisting people with disabilities who have experienced adversity in their employment or housing, or who have needed reasonable accommodations. When I started this work nearly 20 years ago, I never imagined that I would be diagnosed with a life-altering disability at the age of 51.

Parkinson’s Disease is a chronic progressive movement disorder that causes slowness, stiffness, tremors, and many non-motor symptoms such as anxiety, insomnia, and digestive issues. PD is a neurodegenerative disease in which dopamine-producing neuron pathways are blocked. The way I try to explain it is as follows: The computer in my brain is not giving my body all of the proper signals, which causes many of its systems to be a little off. It is estimated that nearly one million people in the United States are living with PD and that number is supposed to rise to 1.2 million by the year 2030.¹

There is no cure for the disease. Unfortunately, there has been very little medical advancement in the treatment of PD.² My symptoms will likely progress. Although there is a huge community of people who have the disease, you rarely hear about it in the news or other media. It is imperative to raise awareness, not only to fund research to find new treatments

and a cure, but also to lessen the stigma of living and working with this disease—or any disability. I first spoke publicly about my diagnosis when I filmed a series of YouTube video blogs, a pandemic passion project.³ The videos have been well-received and have been viewed by thousands of people all over the world. I talk about the disease personally and practically. My goal is to share my vision of living my best life through positivity while being open about my struggles.

Borrowing a phrase from my LGBTQIA friends, many people who have a PD diagnosis stay “in the closet” due to the stigma associated with their symptoms. People with PD often have slow movement or speech, which might be perceived as an intellectual disability. They may have imbalance, which could be perceived as intoxication. They frequently have limited facial expression, which might be mistaken for being unfriendly. People with PD often have tremors, which could be perceived

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as nervousness. People often need to weigh the real risks of disclosure at work, such as marginalization, humiliation, and lack of support, versus any benefit they may have in sharing the information. It is common that the first time an employer learns about the diagnosis is when the employee needs a reasonable accommodation. It is likely you know people with PD who have not disclosed their disability to you.

Although I certainly was aware of my rights as an employee with a disability, telling my employer and coworkers about my diagnosis was still one of the hardest things I have done. I did not fear being discriminated against, but I did fear being perceived differently. I also was concerned that people would just be uncomfortable working with a lawyer with a brain disorder. What I found was quite the opposite. My employer and coworkers have been extremely supportive and have encouraged me to speak publicly. Educating the public about living and working with a disability complements the CHRO's mission to eliminate discrimination through education and advocacy. I also have found that I prefer to have my management and coworkers know medically what is going on rather than assume my symptoms relate to incompetency. I do wonder how receptive a prospective employer might be to this type of disclosure.

I am a newbie in this disability world. I have benefited from fabulous mentors. When I was an intern at a small employment discrimination law firm, I had the pleasure of working with Michelle Duprey, a lawyer who has Os-

teogenesis Imperfecta. Michelle was an example of living with a disability pragmatically and most importantly with a good sense of humor. When I started my career at legal services, I worked with Kathy Flaherty, who at that time was fighting to be admitted to the Connecticut Bar after disclosing her diagnosis of bipolar disorder. Kathy continues to boldly fight to end discrimination against people with mental health conditions in her role as executive director at Connecticut Legal Rights Project. I have maintained close friendships with Michelle and Kathy through the years and have benefited from watching their zealous advocacy in the field of disability rights. I believe seeing two strong women with disabilities who were not only working as lawyers but thriving made the transition of working as an attorney with a disability much easier. I look forward to you hearing from them both in upcoming installments of this column.

While it has been a huge weight off my shoulders to be living my most genuine life without a secret looming over me, I understand that it is easier for me to speak publicly about my disability than it is for many others. I am a unionized state employee, which lessens my fear of losing my job. I am also an educated white person, which gives me innumerable privileges that some others do not have.

Speaking publicly to the legal community about living with a disability reduces the stigma associated with being an attorney with a disability. As lawyers, we think we need to be almost superhuman, working hours on end to

write the perfect brief or to make an irrefutable argument. However, our life experiences are just as important in finding solutions to our clients' problems. Just like the public, lawyers are faced with innumerable obstacles outside of work. There are lawyers right now dealing with complicated home lives, addiction issues, financial crises, and systemic discrimination. These life experiences make us more compassionate to our clients and adversaries, and overcoming adversity helps us find new ways to help others overcome hardships. There is something liberating about the realization that we are all human and our struggles enhance our work, rather than diminish it. My disability adds value to my work and ultimately, I believe it makes me a better lawyer...and a better person. ■

NOTES

1. Statistics | Parkinson's Foundation. www.parkinson.org/Understanding-Parkinsons/Statistics
2. The gold standard treatment, Carbidopa Levodopa, has been used since the late sixties. Levodopa | Parkinson's Foundation, www.parkinson.org/Understanding-Parkinsons/Treatment/Prescription-Medications/Levodopa
3. www.youtube.com/channel/UC2lcAmzCU_uK-C7-vo-GMRg



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