



THREE WAYS A SUPREME COURT APPOINTEE COULD RESTRICT DISABILITY RIGHTS:

- **Further Threats to the ADA:** Just one more justice voting with Scalia and Thomas would have taken a fundamental right—access to state judicial systems—away from people with disabilities. Scalia and Thomas voted to throw out a case brought by a paraplegic who was literally forced to crawl up the courthouse steps in order to defend himself in court. Additionally, two more justices voting with Scalia and Thomas would interpret the ADA to allow discrimination against asymptomatic persons infected with HIV and improper institutionalization of people with mental disabilities, and would prevent the Equal Employment Opportunity Commission from suing an employer under the ADA where the employer has required arbitration.
- **Limits on Educational Opportunity for Children with Disabilities:** Justice Thomas has argued that a school district should be able to deny nursing services that are essential for a disabled boy to attend school. Justice Scalia has claimed that a disabled student should lose his right to public education because he had temporarily dropped out of school. More right-wing justices like these could severely threaten special education rights.
- **Housing Discrimination on the Basis of Disability:** Just two more votes with Scalia and Thomas would have reversed a crucial Court decision that local city ordinances cannot override the federal Fair Housing Act's ban on discrimination against people with disabilities.

PROTECT DISABILITY RIGHTS

Hard-won protections for Americans with disabilities are at risk. You can help prevent a reversal of progress for people with disabilities by helping to save the Supreme Court.

The nine-member Supreme Court interprets the Constitution and reviews laws that affect individuals' rights and legal protections. Right now, the Court is closely divided on important questions, so the people appointed to fill vacancies expected on the Court over the next few years will have a huge effect on people with disabilities for decades to come. A narrow 5-4 majority that includes Justices Antonin Scalia and Clarence Thomas has already harmed disability rights by undermining the Americans with Disabilities Act (ADA). But the situation could be far worse with just one or two more rigidly ideological justices like Antonin Scalia and Clarence Thomas – the justices who President Bush has called his models for Supreme Court appointments:

WHAT YOU CAN DO

Despite the compromise over the filibuster, there remains an effort by allies of the White House to change Senate rules and make it harder to prevent anyone nominated by the president from getting on the Supreme Court for life. If you don't want a Supreme Court dominated by the far right to weaken disability rights, now is the time to take action.



For more information see: **savethecourt.org**

or to get involved call: **1-800-326-7329**