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Books

MAKING IT WORK: INITIATIVE ON GENDER AND DISABILITY INCLUSION: ADVANCING EQUITY FOR WOMEN AND GIRLS WITH DISABILITIES (*with* LISA ADAMS et al., 2015). Available at <http://www.endabusepwd.org/resource/making-it-work-initiative/>.

THE DEVELOPMENT OF DISABILITY RIGHTS UNDER INTERNATIONAL LAW: FROM CHARITY TO HUMAN RIGHTS (2015).

CASES AND MATERIALS ON INTERNATIONAL HUMAN RIGHTS AND DOMESTIC MENTAL DISABILITY LAW (*with* MICHAEL PERLIN et al.) (2006).

INTERNATIONAL HUMAN RIGHTS AND COMPARATIVE MENTAL DISABILITY LAW: CASES AND MATERIALS (*with* MICHAEL PERLIN et al.) (2006, Supp. 2006).

THE PUBLIC ASSISTANCE MANUAL: AN ADVOCATE'S GUIDE (*with* S. ZAKRE) (1991).

CURRENT ISSUES IN MENTAL HEALTH LAW (1989).

Books, Edited

DISABILITY STUDIES: A READER, (Hebrew), (*with* Sagit Mor, Neta Ziv, Ada Eichengreen, and Nissim Mizrachi, 2016).

RIGHTING EDUCATIONAL WRONGS: DISABILITY STUDIES IN LAW AND EDUCATION, (*with* Beth A. Ferri, 2013).

LEARNING FROM PRACTICE: A PROFESSIONAL DEVELOPMENT TEXT FOR LEGAL EXTERNS, 2ND ED. (*with* J.P. Ogilvy, Lisa G. Lerman & Leah Wortham, eds.) (West, 2007).

LEARNING FROM PRACTICE: A PROFESSIONAL DEVELOPMENT TEXT FOR LEGAL EXTERNS, 2ND ED. TEACHERS' MANUAL (*with* J.P. Ogilvy, Lisa G. Lerman & Leah Wortham, eds., 2007).

Book Chapters

The Failure of the United States to Ratify the CRPD, in RECOGNISING HUMAN RIGHTS IN DIFFERENT CULTURAL CONTEXTS: THE UNITED NATIONS CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES (CRPD) (Emily J. Kakoullis & Kelley Johnson eds., 2020)

The right to inclusive education for students with disabilities under international human rights law, in THE RIGHT TO INCLUSIVE EDUCATION IN INTERNATIONAL HUMAN RIGHTS LAW (G. de Beco, S. Quinlivan & J. E. Lord eds., 2019).

Reports by State Parties, in THE UN CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES: A COMMENTARY (Ilias Bantekas, Michael A. Stein & Demetres Anastasiou, eds., 2018).

מבוא ומשפט למוגבלות הביקורתית לגישה מבווא *in* DISABILITY STUDIES: A READER (Sagit Mor et al., eds., 2016).

Disability Legal Studies, in NORMA E NORMALITÀ NEI DISABILITY STUDIES. RIFLESSIONI E ANALISI CRITICA PER RIPENSARE LA DISABILITÀ (Roberto Medeghini ed., 2015).

Introduction, in MAKING IT WORK: INITIATIVE ON GENDER AND DISABILITY INCLUSION: ADVANCING EQUITY FOR WOMEN AND GIRLS WITH DISABILITIES (2015). Available at <http://www.endabusepwd.org/resource/making-it-work-initiative/>.

Introduction (with Beth A. Ferri), in RIGHTING EDUCATIONAL WRONGS: DISABILITY STUDIES IN LAW AND EDUCATION, (Arlene S. Kanter and Beth A. Ferri eds., 2013).

The Relationship between Disability Studies and Law, in RIGHTING EDUCATIONAL WRONGS: DISABILITY STUDIES IN LAW AND EDUCATION, (Arlene S. Kanter and Beth A. Ferri eds., 2013).

The Right to Community Living Under International Law (with F. Z. Dagidir), in THE RIGHT TO LIVE IN THE COMMUNITY: COMMUNITY-BASED SERVICES FOR PEOPLE WITH MENTAL DISABILITIES (2010).

Uluslararası Hukuk Uyarınca Toplum İçinde Yaşama Hakkı, in TOPLUM İÇİNDE YAŞAMAK HERKESİN HAKKI (Ruh Sağlığında İnsan Hakları Girişimi (Human Rights in Mental Health Initiative), 2010).

Disability Rights: Convention on the Rights of Persons with Disabilities, in 4 ENCYCLOPEDIA OF HUMAN RIGHTS 44 (David P. Forsythe ed., 2009).

Bazelon Center for Mental Health Law, in 1 ENCYCLOPEDIA OF AMERICAN DISABILITY HISTORY 92 (Susan Burch ed., 2009).

Ethical Issues in Externships: Conflicts of Interest (with Cindy Roman Slane), in *LEARNING FROM PRACTICE: A PROFESSIONAL DEVELOPMENT TEXT FOR LEGAL EXTERNS* (J.P. Ogilvy et al., 2d ed. 2007).

Ethical Issues in Externships: Conflicts of Interest (with Cindy Roman Slane), in *LEARNING FROM PRACTICE: A PROFESSIONAL DEVELOPMENT TEXT FOR LEGAL EXTERNS, TEACHERS' MANUAL* (J.P. Ogilvy et al., 2d ed. 2007).

The Right of Students with Disabilities to Equal Participation in Study Abroad Programs, in RIGHTS AND RESPONSIBILITIES: A GUIDE TO NATIONAL AND INTERNATIONAL DISABILITY-RELATED LAWS FOR INTERNATIONAL EXCHANGE ORGANIZATIONS AND PARTICIPANTS (2004).

The Right to Community Integration: Protections under United States and International Law, (with E. ROSENTHAL), in *DISABILITY RIGHTS LAW AND POLICY: INTERNATIONAL AND NATIONAL PERSPECTIVES* (M. Breslin, S. Yee & A. Meyerson eds., 2002).

Towards Equality: The Americans with Disabilities Act and Accommodation of Differences, in DISABILITY, DIVERS(ABILITY) AND LEGAL CHANGE (L.A. Basser Marks & M. Jones eds., 1999).

Legal and Ethical Issues in the Community Care of Older People, in AT HOME: STRATEGIES FOR SERVING OLDER PEOPLE WITH MENTAL DISABILITIES IN THE COMMUNITY (1995).

Protecting Elders Rights, in AT HOME: STRATEGIES FOR SERVING OLDER PEOPLE WITH MENTAL DISABILITIES IN THE COMMUNITY (1995).

Law Review and Other Scholarly Articles

Do Human Rights Treaties Matter: The Case for the United Nations Convention on the Rights of People with Disabilities, 52 *VAND. J. TRANSNAT'L L.* 577 (2019).

Let's Try Again: Why the U.S. Should Ratify the UN Convention on the Rights of People with Disabilities, 35 *TOURO L. REV.* 301 (2019).

Legal capacity, Mental capacity and Supported Decision-Making: Report from a Panel Event (with Jillian Craigie, et al.), 62 *INT'L J. L. & PSYCHIATRY* 160 (2019).

A Call for an End to Violence Against Women and Girls with Disabilities Under International and Regional Human Rights Law (with Carla Villarreal López), 10 *NE. U. L. REV.* 583 (2018).

The Right of People with Disabilities to Asylum and Protection from Deportation on the Grounds of Persecution or Torture Related to Their Disability, *HUMAN RIGHTS BRIEF*, FRIDAY APRIL 20, 2018, <http://hrbrief.org/2018/04/right-people-disabilities-asylum-protection-deportation-grounds-persecution-torture-related-disability/>

The Fight for Personhood, Legal Capacity and Equal Recognition Under Law for People with Disabilities in Israel and Beyond, 39 *CARDOZO L. REV.* 557 (2017).

Children with Disabilities and the Syrian Conflict (with Khawla Wakaaf), 7 IMPUNITY WATCH L.J. ANN. REV. v (2017).

A Comparative View of Equality Under the UN Convention on the Rights of People with Disabilities and the Disability Laws of United States and Canada, 32 WINDSOR Y.B. ACCESS JUST. no. 2, at 65 (2015).

Presumption of Incompetence: The Systematic Assignment of Guardianship within the Transition Process (with Carrie E. Rood & Julie Causton), 39 RES. & PRAC. FOR PERSONS WITH SEVERE DISABILITIES 319 (2015).

Guardianship for Young Adults with Disabilities as a Violation of the Purpose of the Individuals with Disabilities Education Improvement Act, 8 J. INT'L AGING L. & POL'Y 1 (2015).

The Americans with Disabilities Act at 25 Years: Lessons to Learn from the Convention on the Rights of People with Disabilities, 63 DRAKE L. REV. 819 (2015).

Country Report: Morocco (with Inviolata Sore & Daniel Van Sant), 3 AFR. DISABILITY RTS. Y.B. 203 (2015).

Country report: Tunisia (with Inviolata Sore & Daniel Van Sant), 3 AFR. DISABILITY RTS. Y.B. 265 (2015).

The Basic Education Act of Kenya of 2013: One Step Forward and Two Steps Back for Children with Disabilities in Kenya (with William Aseka), AFR. DISABILITY RTS. Y.B. 33 (2014).

The Right to Inclusive Education under International Law: Following Italy's Lead (with B. Ferry & M. Damiani), 17 J. INT'L SPECIAL NEEDS EDUC. 21 (2014).

מוגבלויות עם לאנשים המשפטית והכשרות האוטונומיה להשבת המאבק? שלי החיים מי של (with Yotam Tolub) כרך ן משפט מעשי (2014).

There's No Place Like Home: The Right to Live in the Community for People with Disabilities, Under International Law and the Domestic Laws of the United States and Israel, 45 ISRAEL L. REV. 181 (2012).

The Law: What's Disability Studies Got To Do With It or An Introduction to Disability Legal Studies, 42 COLUM. HUM. RTS. L. REV. 403 (2011).

The United Nations Convention on the Rights of Persons With Disabilities and its Implications for the Rights of Elderly People Under International Law, 25 GA. ST. U.L. REV. 527 (2009).

Permanency Planning for Children with Disabilities: The Right to Live with a Family for Every Child, 28 CHILD. LEGAL RTS. J. 1 (2008).

The Promise and Challenge of the United Nations Convention on the Rights of Persons with Disabilities, 34 SYRACUSE J. INT'L L. & COM. 287 (2007).

The Right of People with Disabilities to Exercise Their Right to Vote under the Help America Vote Act (with R. Russo), 30 MENTAL AND PHYSICAL DISABILITY L. RPTR. 852 (2006).

The Globalization of Disability Rights Law, 30 SYRACUSE J. INT'L L. & COM. 241 (2003), reprinted in DISABILITY RIGHTS 489 (Peter D. Blanck ed., 2005).

Ethics in Externships: Confidentiality, Conflicts and Competence; Issues in the Field and in the Classroom (with A. Anderson & C. Slane), 10 CLINICAL L. REV. 473 (2004).

The Presumption Against Extraterritoriality as Applied to Disability Discrimination Laws: Where Does it Leave Students with Disabilities Studying Abroad? 14 STAN. L. & POL'Y. REV. 291 (2003).

The Right to Asylum and Need for Legal Representation of People with Disabilities in Immigration Proceedings (with C. Nugent & C. B. Chisam), 25 MENTAL & PHYSICAL DISABILITY L. RPTR. 511 (2002).

Involuntary Outpatient Commitment in Israel: Treatment or Control? (with M. Ajzenstadt, U. Aviram, & M. Kalian), 24 INT'L J. L. & PSYCHIATRY 637 (2001).

The Right to Asylum for People with Disabilities (with K. Dadey), 73 TEMP. L. REV. 1117 (2000).

Introduction to the Symposium on Prosecuting Transnational Crimes: Cross-Cultural Insight for the Former Soviet Union, 27 SYRACUSE J. INT'L L. & COM. 1 (2000).

Introductory Statement to the Human Rights Symposium on the Concept of Human Rights and Its Application to Africa, 26 SYRACUSE J. INT'L L. & COM. 173 (Spring 1999).

Involuntary Outpatient Commitment in Israel (with U. Aviram & M. Ajzenstadt), MISHPATIM 9 (1998-99).

Israel's Involuntary Outpatient Commitment Law: Lessons from the American Experience, (with U. Aviram), 29 ISRAEL L. REV. (1995).

A Home of One's Own: the Fair Housing Amendments Act of 1988 and Housing Discrimination Against People with Mental Disabilities, 43 AM. U. L. REV. 925 (1994).

Abandoned But Not Forgotten: The Illegal Confinement of Elderly People in State Psychiatric Institutions, 19 N.Y.U. REV. L. & SOC. CHANGE 273 (1991).

Advocating for Freedom: The Community Placement of Elders From State Psychiatric Hospitals (with E. Jones), 23 CLEARINGHOUSE REV. 444 (1989).

Homeless But Not Helpless: Legal Issues in the Care of Homeless People with Mental Illness, 45 J. SOC. ISSUES 91 (Winter 1989).

Homeless Mentally Ill People: No Longer Out of Sight and Out of Mind, 3 N.Y. L. SCH. J. HUMAN RTS. ANN. 331 (1986).

Recent Zoning Cases Uphold the Establishment of Group Homes for the Mentally Retarded, 18 CLEARINGHOUSE REV. 515 (1984).

Patients Rights, (with W. Olson) 1980 ANN. SURV. AM. L. 321 (1981).

Reports to Governmental Bodies and Professional Associations

Infanticide and Abuse: Killing and Confinement of Children with Disabilities in Kenya, Disability Rights International Report (with Priscila Rodríguez et al., 2018).
<http://www.driadvocacy.org/wp-content/uploads/Infanticide-and-Abuse.pdf>

The Right to Legal Capacity and Supported Decision Making for All: A Preliminary Brief to the Law Commission of Ontario in Response to Legal Capacity, Decision-Making and Guardianship, Interim Report, Oct. 2015 (with The Coalition on Alternatives to Guardianship et al., 2015). <http://www.cacl.ca/sites/default/files/uploads/Coalition%20Brief%20to%20LCO%20with%20Expert%20Opinions%20-%20March%202016%20-%20final.pdf>.

The Rights of Children with Disabilities in Vietnam: Bringing Vietnam's Laws Into Compliance with the UN Convention on the Rights of Persons with Disabilities, Report Prepared for UNICEF, (with E. Rosenthal, Mental Disability Rights Int'l, Dec. 10, 2009).
http://www.disabilityrightsintl.org/wordpress/wp-content/uploads/UNICEF_final_legal_analysis_report_in_Vietnam1.pdf

Behind Closed Doors: Human Rights Abuses in the Psychiatric Facilities, Orphanages and Rehabilitation Centers of Turkey (with E. Rosenthal), Report by Mental Disability Rights Int'l (Sep. 28, 2005), <http://www.mdri.org/projects/turkey/turkey%20final%209-26-05.pdf>.

Foreign Policy and Disability: Legislative Strategies and Civil Rights Protections to Ensure Inclusion of People with Disabilities (with E. Rosenthal), Report commissioned by the Nat'l Council on Disability (Sep. 9, 2003), <http://www.ncd.gov/newsroom/publications/2003/foreign03.htm>.

The Housing Needs of People with Mental Illness, in OUTCASTS ON MAIN STREET: REPORT OF THE FEDERAL TASK FORCE ON HOMELESSNESS & SEVERE MENTAL ILLNESS (1993).

Zoning, Real Estate and Related Issues (Presidential Committee on Mental Retardation, Washington, D.C.), Feb. 1988.

Legal Barriers to Access: The Unmet Health Care Needs of Homeless People, Report to the Inst. of Medicine, Nat'l Acad'y of Sciences (May 1987).

A Brief History of Deinstitutionalization, in PROTECTION AND ADVOCACY FOR PEOPLE WHO ARE LABELED MENTALLY ILL, (Mental Health Law Project for the Nat'l Ass'n of Protection & Advoc. Sys. ed., 1987).

Combating NIMBY: Recent Zoning Cases Uphold the Establishment of Group Homes for the Mentally Disabled, in PROTECTION AND ADVOCACY FOR PEOPLE WHO ARE LABELED MENTALLY ILL, (Mental Health Law Project for the Nat'l Ass'n of Protection & Advoc. Sys. ed., 1987).

Other Reports, News and Commentary

Individuals with disabilities are not 'them,' they are 'us', SYRACUSE POST-STANDARD, December 3, 2020 at A19, <https://www.syracuse.com/opinion/2020/12/what-a-day-to-recognize-people-with-disabilities-should-mean-to-us-all-commentary.html>

Religious Freedom Is No Reason to Deny People with Disabilities the Right to Equality in the Workplace, THE HILL (July 26, 2020). Available at <https://thehill.com/opinion/judiciary/509032-religious-freedom-is-no-reason-to-deny-people-with-disabilities-the-right>

Turning Their Back on People with Disabilities in the Name of Religious Freedom, JURIST (July 26, 2020). Available at <https://www.jurist.org/commentary/2020/07/arlene-kanter-ada30-st-james-v-biel/>

Can Faculty Be Forced Back on Campus?: Several Covid-related regulations and federal and state laws provide guidance, THE CHRONICLE OF HIGHER EDUCATION, June 15, 2020, Available at https://bi.gale.com/essentials/article/GALE|A632868556?u=nysl_ce_syr

Op-Ed, *The Education Ministry is Turning its Back on Children with Disabilities*, JERUSALEM POST, July 1, 2018. <https://www.jpost.com/Opinion/The-Education-Ministry-is-turning-its-back-on-children-with-disabilities-561301>.

Justice for the Disabled on International Persons with Disabilities Day, Commentary, SYRACUSE POST-STANDARD at SYRACUSE.COM, Dec. 2, 2014.

A Day for Justice: We Can and Must Do Better for Disabled People, Op-Ed, SYRACUSE POST-STANDARD Dec. 3, 2011.

In Search of Justice, and Not Just Charity, Op-Ed, THE JERUSALEM POST May 15, 2011.

People with Disabilities Need an International Convention, Op-Ed, SYRACUSE POST-STANDARD June 25, 2003.