

REBEKAH DILLER

Clinical Associate Professor of Law & Co-Director, Bet Tzedek Civil Litigation Clinic
Benjamin N. Cardozo School of Law
55 Fifth Avenue, 11th Floor, New York, NY 10003
(212) 790-0421; Rebekah.Diller@yu.edu

TEACHING EXPERIENCE

BENJAMIN N. CARDOZO SCHOOL OF LAW, New York, NY

Clinical Associate Professor of Law, Co-Director of Bet Tzedek Clinic, August 2015 to present

- Co-teach live client litigation clinic devoted to promoting autonomy and independence for seniors and persons with disabilities. Supervise law students as they represent clients in state and federal court as well as in administrative hearings. Cases include employment discrimination, landlord-tenant, government benefits, and other civil matters.
- Co-teach clinic seminar that covers disability law, lawyering skills, ethics and trial skills.

Clinical Assistant Professor of Law, Director of Guardianship Clinic, November 2011 to August 2015

- Designed and launched semester-long clinic devoted to improving adult guardianship system.
- Supervised law students as they represented clients in all aspects of guardianship and related proceedings, primarily in state court. Students represented individuals challenging guardianships, lay guardians in need of assistance with complicated reporting and procedural matters, and families seeking alternatives to guardianship. Law reform projects included impact litigation, policy reports, legislative proposals, and public education materials.
- Taught clinic seminar covering substantive guardianship law, lawyering skills, ethics, and disability rights.

NEW YORK UNIVERSITY SCHOOL OF LAW, New York, NY

Adjunct Professor of Clinical Law, August 2009 to December 2011

- Designed curriculum and taught weekly seminar for year-long clinic focusing on all aspects of public policy advocacy. Oversaw supervision of fieldwork projects at the Brennan Center for Justice.

PROFESSIONAL EXPERIENCE

BRENNAN CENTER FOR JUSTICE AT NYU SCHOOL OF LAW, New York, NY

Deputy Director, Justice Program, October 2007 to November 2011

Counsel, November 2004-October 2007

- Spearheaded advocacy, public education, and litigation initiatives promoting access to justice for low-income communities.
- Directed national campaign to protect and strengthen Legal Services Corporation-funded programs; obtained federal legislative change to remove restriction that barred legal services agencies from recovering fee awards.
- Led center's work combating growth of criminal justice fees assessed against indigent defendants.
- Litigated cases protecting speech rights of non-profit organizations; argued and won *AOSI v. USAID*, Second Circuit decision enjoining enforcement of federal restriction on HIV/AIDS funds

that was later affirmed by Supreme Court.

- Authored or co-authored five Brennan Center reports on barriers to equal justice.
- Wrote and spoke frequently on access to justice; shaped media strategy and press outreach.
- Supervised junior staff; participated in fundraising efforts.

NEW YORK CIVIL LIBERTIES UNION, REPRODUCTIVE RIGHTS PROJECT, New York, NY

Director, October 2002-October 2004; *Interim Director*, January 2002-October 2002

Staff Attorney, October 2000-January 2002

- Directed litigation, advocacy, and public education for legal arm of New York's reproductive rights movement.
- Litigation included: *Doe v. Reid*—civil rights action against school system for forcing intermediate school girls to undergo intrusive medical exams; *Neri v. Grand Island School District*—employment discrimination action for ousting after-school program director on basis of pregnancy and marital status; *Lochren v. Suffolk County*—employment discrimination challenge to policy of excluding pregnant police officers from light duty positions.
- Shaped local and state legislation affecting reproductive rights.
- Conducted community and coalition outreach including frequent public speaking.
- Directed project fundraising and media relations.

HOUSING WORKS, INC., New York, NY

Staff Attorney, January 2000-October 2000

- Represented individuals living with HIV in broad variety of civil matters, including housing, disability and government benefits cases.

LEGAL SERVICES FOR THE ELDERLY IN QUEENS, Queens, NY

Staff Attorney, November 1997-January 2000

- Represented clients in Housing Court proceedings, administrative hearings and appeals, and state Supreme Court actions, including predatory lending cases.

DOW JONES NEWS SERVICE, New York, NY

Copy Editor/National Copyreader, 1992-1994

- Edited stories for news wire service; wrote headlines and news briefs under tight deadlines.

EDUCATION

NEW YORK UNIVERSITY SCHOOL OF LAW, New York, NY, J.D., *magna cum laude*, 1997

- Order of the Coif
- *New York University Law Review*: Associate Editor 1996-97, Staff Editor 1995-96
- Arthur Garfield Hays Fellow 1996-97
- Federal Defender Clinic 1996-97; Summer internships at Texas Rural Legal Aid, Edinburg, TX (1995); Public Citizen Litigation Group, Washington, DC (1996)

RUTGERS COLLEGE, RUTGERS UNIVERSITY, New Brunswick, NJ, B.A., *cum laude*, History, 1991

- Phi Beta Kappa, Phi Alpha Theta Honor Society for History, Cap and Skull Honor Society
- Senior News Editor of *The Daily Targum*, independent, student-run daily newspaper

SELECTED REPORTS AND PUBLICATIONS

- *Legal Capacity for All: What the Shift from Adult Guardianship to Supported-Decision Making Has to Offer Older Persons* (Forthcoming 43 Fordham Urb. L.J. ____ (2016)).
- GUARDIANSHIP IN NEW YORK: DEVELOPING AN AGENDA FOR CHANGE (Cardozo Guardianship Clinic 2012) (compiled, with clinic students, report documenting and summarizing conference proceedings).
- *Turner v. Rogers: What the Court Did and Didn't Say*, ACS Blog, June 21, 2011.
- *Counsel for Foreclosures*, N.Y. TIMES, Feb. 12, 2011 (Letter to the Editor) (with Laura Abel).
- CRIMINAL JUSTICE DEBT: A BARRIER TO REENTRY (Brennan Center 2010) (with Alicia Bannon & Mitali Negrecha).
- THE HIDDEN COSTS OF FLORIDA'S CRIMINAL JUSTICE FEES (Brennan Center 2010).
- *Restoring Legal Aid for the Poor: A Call to End Draconian and Wasteful Restrictions*, 36 FORDHAM URBAN L. J. 687 (2009) (with Emily Savner).
- MARYLAND'S PAROLE SUPERVISION FEE: A BARRIER TO REENTRY (Brennan Center 2009) (with Judith Greene & Michelle Jacobs).
- *Court Fees as Revenue? Money-Grabbing Imperils Justice*, USA TODAY, July 30, 2008.
- *Legal Help in the Subprime Crisis*, HUFFINGTON POST, Jan. 9, 2008.
- *Access to the Courts, A Briefing Paper for the Georgetown Symposium on the Independence of the Courts*, 96 GEO L.J. 1127 (2007) (with David Udell).
- *Efforts to Restrict the Advocacy Rights of Nonprofits that Partner with Government*, 9 N.Y. CITY L. REV. 315 (2006) (transcript of symposium address).
- *Legal Issues in the Reproductive Health Care of Adolescents*, in ADOLESCENT SEXUAL DEVELOPMENT AND SEXUALITY: ASSESSMENT AND INTERVENTIONS (Donna A. Gaffney & Carol Roye eds., 2003) (with Donna Lieberman *et al.*).
- TEENAGERS HEALTH CARE AND THE LAW (NYCLU 2d Ed. 2002) (with Jessica Feierman *et al.*).
- *Hospital's Affiliation Should Not Impact Care*, ALBANY TIMES UNION, June 3, 2003 (Letter to the Editor).
- *NY Abortion-Rights Advocates Better Dig In*, NEWSDAY, Jan. 21, 2003 (with Donna Lieberman).
- *Health Bill Respects Women, Religion*, NEWSDAY, Apr. 16, 2002 (with Donna Lieberman).
- *Keep Religion Out of Insurance*, DAILY NEWS, Mar. 25, 2001 (with Donna Lieberman).

SELECTED PRESENTATIONS AND TESTIMONY

- Panelist, "Critical Thinking about Current Reforms II: Is There an Approach to Supported Decision-Making for People who Cannot Practically Make and Execute Decisions by Themselves, Even with Extensive Support and Accommodations, That is Defensible in Theory and Workable in Law and Practice?" International Convening to Share Experiences on

- Implementation of CRPD Article 12, American University, Washington, DC, April 3, 2016.
- Panelist, "Supported Decision-Making, A Practical Approach to Representation," Plenary Panel, American Bar Association National Aging & the Law Conference, Washington, DC, Oct. 30, 2015.
 - Panelist, "Current Developments in Elder Law 2015," CLE Program, New York City Bar, New York, NY, Oct. 13, 2015.
 - Presenter, "Challenging Third Party Demands for Guardianship: A Key Component of Reform," International Congress on Law and Mental Health, Sigmund Freud University, Vienna, July 17, 2015.
 - Panelist, "Guardianship – Benefits and Limitations," 10th Annual NYC Elder Abuse Conference, The New School, New York, NY, June 3, 2015.
 - Presenter, "Guardianship Alternatives: Practical Ways to Pursue Less Restrictive Options," World Guardianship Congress, Washington, DC, May 29, 2014.
 - Presenter, "Alternatives to Guardianship: Preserving the Autonomy of Individuals with Intellectual and Mental Health Disabilities" Webinar, Shriver Center, May 7, 2014.
 - Presenter at "Legal Review," National Guardianship Association Annual Conference, Tampa, FL, Oct. 12, 2013.
 - Panelist, "Article 81 Guardianship: Abuses, Avoidance and Alternatives," Mental Hygiene Legal Service Continuing Legal Education Presentation, The Judicial Institute, Pace University, White Plains, NY, Apr. 23, 2013.
 - Presenter, "Reifying Dependence: When Guardianship Undermines Transition for Persons with Disabilities," UCLA School of Law, Disability Law Symposium, Los Angeles, CA, Mar. 22, 2013
 - Presenter, "The Anti-Prostitution Pledge Sex Work, Free Speech, and the Supreme Court," Forum Sponsored by Open Society Foundations and Pathfinder International, American Public Health Association Conference Center, Washington, DC, July 25, 2012.
 - Panelist, "National and State Guardianship Reform: Where Are We Headed?" NYSARC Inc. Annual Guardianship Symposium, Saratoga Springs, NY, Apr. 17, 2012.
 - Lunchtime Speaker, "Criminal Justice Debt," Edward V. Sparer Fellows Lunch, Brooklyn Law School, Nov. 14, 2011.
 - American Bar Association Annual Meeting, San Francisco, CA, Coalition for Justice, Panel on Crisis in Representation, Aug. 6, 2010.
 - Testimony before the U.S. House, Judiciary Subcommittee on Commercial and Administrative Law, Hearing on the Civil Access to Justice Act, Washington, DC, Apr. 30, 2010.
 - Testimony before the Maryland House of Delegates, Judiciary Committee, Hearing on HB 1222: Parole Supervision Fee, Annapolis, MD, Mar. 16, 2010.
 - Testimony before the Maryland Senate, Judiciary Committee, Hearing on SB 499: Parole Supervision Fee, Annapolis, MD, Mar. 2, 2010.
 - Testimony before the U.S. Senate, Committee on the Judiciary, Hearing on Closing the Justice Gap: Providing Civil Legal Assistance to Low-Income Americans, Washington, DC, May 22, 2008.
 - Panelist, "Provisionally Yours: The Current Status of Federal Funding Conditions," University of

North Carolina School of Law, First Amendment Law Review symposium, Chapel Hill, NC, Feb. 16, 2007.

- Presenter, "The Prostitution Pledge: A Legal Challenge on First Amendment Grounds," Johns Hopkins Bloomberg School of Public Health, Baltimore, MD, Mar. 29, 2006.
- Panelist, "Efforts to Restrict the Advocacy Rights of Nonprofits that Partner with Government," New York City Law Review symposium, CUNY Law School, Flushing, NY, Mar. 3, 2006.
- Testimony before the New York State Assembly Committee on Health, Hearing on Access to Emergency Contraception, Albany, NY, Jan. 14, 2003.

SELECTED HONORS AND PROFESSIONAL ACTIVITIES

Recipient of the Julia Vadala Taft Outstanding Leadership Award from InterAction in 2014

Member, New York State Office of Court Administration, Guardianship Advisory Council

Member, Vera Institute, The Guardianship Project, Advisory Board

BAR ADMISSIONS

Supreme Court, 2013; U.S. Court of Appeals for the Second Circuit, 2007; U.S. District Court for the Southern District of New York, 2003; U.S. District Court for the Eastern District of New York, 2001; State of New York, 1998.