



Newsletters of Spectrum Institute will be published quarterly in 2022. The next newsletter will be released on April 1.



A Message from the Executive Director

Preview of Activities for 2022

Recalling the Past, Planning the Future

This year marks the 50th anniversary of my becoming a legal advocate. I was a student at Loyola Law School in Los Angeles when I joined with a few students from other law schools to create the Gay Law Students Association. This was the first such organization in the nation. It was also 1972 when I convened the first gay rights forum ever held at an annual meeting of the American Bar Association.

To commemorate these historic events, Spectrum Institute has initiated what we call [Birds of a Feather](#). It will honor the gay and lesbian law students of the 1970s who had the courage to "come out" and become visible and vocal LGBTQ activists. After graduating from law school, many of these pioneers used the skills they learned in law school as lawyers or law professors advancing equal rights and justice. Some of them became LGBTQ judges.

The seeds of organized legal advocacy that a few of us planted 50 years ago have blossomed and expanded over the decades. Now there is a National LGBTQ Bar Association with 1,700 members. There are nearly 40 state and local LGBTQ bar associations. Most law schools have a LGBTQ student organization.

For the past several years, Spectrum Institute has focused its attention on securing justice for adults with mental or developmental disabilities who are targeted by or entangled in conservatorship or guardianship systems. This followed advocacy in the 1980s for family diversity, the 1990s for singles' rights, and subsequent advocacy addressing abuse of teenagers and abuse of people with developmental disabilities. Last year, the organization decided to initiate outreach to the LGBTQ community. We are alerting this population that they are at risk of becoming victims of conservatorship and guardianship abuse.

One component of our [LGBTQ Outreach Project](#) involves the *Birds of a Feather* commemoration. For the next several months, much of my time will be devoted to preparing several commemorative activities that will occur in October 2022 -- LGBTQ History Month. I will be working with student interns and others to publish a Memory Book, host a Webinar, and disseminate short videos to share the stories of LGBTQ law student activism that occurred during the 1970s.

I will also be working with board members of Spectrum Institute on a variety of projects: with Tina Baldwin who will be implementing the [Mental Health Access Project](#); with Barbara Imle as she develops proposals to fund the [Capacity to Love Project](#) to protect the social and sexual rights of adults with mental or developmental disabilities; and with Sheri Kellogg as she educates the public about conservatorship reform, disability rights, and mental health access through our social media accounts. John DiPietro and Brook Changala will be working with me on the *Birds of a Feather* Project.

As these activities occur, I will be doing fundraising with the help of consultants such as Gloria Duffy (CEO of the Commonwealth Club) to raise the money necessary to launch a *Fee for All* study. It will identify financial abuses and suggest major reforms to the conservatorship system in which judges have been enriching conservatorship attorneys by raiding the assets of conservatees to pay excessive fees. Once sufficient funds are raised, we can initiate the study -- hopefully in 2023 -- engaging in research which will form the basis for a report and recommendations to shake up the status quo.

A colleague of mine recently asked when I would retire. I replied that I plan to continue my advocacy as long as I can. Like Ruth Bader Ginsburg did. In the meantime, I urge you to support the important work we are doing. You can find the donation link at the bottom of this newsletter.

Happy New Year!



Thomas F. Coleman
Executive Director

A Letter to Peter Berns, CEO of The Arc

Disabled people deserve the right to marry. They shouldn't have to choose between access to essential programs/services that keep them alive and love.



Peter Berns, CEO of The Arc of the United States, recently sent an [email](#) to Thomas F. Coleman, Executive Director of Spectrum Institute, asking him to help The Arc advocate for the elimination of marriage penalties that prevent many people with disabilities from marrying. Federal benefits programs may reduce or eliminate SSI and other benefits when a disabled adult marries. The income and assets of the new spouse are "deemed" available to the person with the disability. As a result of this "deeming" law, many adults with disabilities cannot afford to marry and must remain legally single because they do not meet financial eligibility requirements. Coleman, who has been advocating for the elimination of such marriage penalties for four decades, wrote back to Berns suggesting that The Arc become a partner with Spectrum Institute on the *Capacity to Love* project that is currently being developed. To read Coleman's letter, [click here](#).

To Watch the Video of this Forum, [Click Here](#).

FEE FOR ALL

How Judges Are Raiding the Assets of Older Adults
and Lining the Pockets of Conservatorship Attorneys



This forum will explain how the assets of seniors and people with disabilities are often drained in order to pay the fees of a variety of attorneys in probate conservatorship proceedings.

With vague or nonexistent rules and a lack of accountability, judges are making ad hoc and often arbitrary orders requiring conservatees and proposed conservatees to pay unreasonable or excessive legal fees. Not only are they required to pay the fees of lawyers appointed to represent them, they are forced to pay the fees of lawyers representing other parties in the case: petitioner, temporary conservator, guardian ad litem, objector, public guardian, or permanent conservator.

More than 1,700 viewers have watched this one-hour video in which panelists explain how they witnessed or experienced the “fee for all” dynamic depleting the assets of conservatees. The moderator discussed how the [Funding and Fees Review Project](#) of Spectrum Institute plans to tackle this problem with a thorough study of what has been happening in local courts throughout the state. The project will issue a major report with recommendations on how to tame this asset-eating beast.



Chief Justice Lags Behind Peers on Conservatorship Reform

By Thomas F. Coleman
Daily Journal / Dec. 15, 2021

“Lagging” is defined as “falling behind in movement, progress, or development; not keeping pace with another or others.” That perfectly describes California Chief Justice Tani Cantil-Sakauye when it comes to conservatorships reform.

To read the full article on the Daily Journal website, [click here](#). For a pdf version, [click here](#). For reader reactions and author responses, [click here](#).



Law Student Interns to Assist *Birds of a Feather* Project

Students from law schools in three areas of India -- Mumbai, Pune, and Kashmir -- have been accepted as interns to work on this project.



Shipra Agrawal (left) attends Symbiosis Law School in Pune. Faleesha Manzoor (right) attends the University of Kashmir School of Law in Srinagar. Satyam Malakar attends NMIMS School of Law in Mumbai. We are grateful for their participation and assistance with the *Birds of a Feather* commemoration. For information about the project, [click here](#) -- about the interns, [click here](#).



Mike Kiraly MPA has accepted our invitation to be a research advisor to the *Birds of a Feather* project. He teaches social science classes at Santa Rosa Junior College and is a member of national honor societies for political science and history. For 27 years, he was the director of library operations at Sonoma State University, supervising reference, cataloging, multimedia, and collection development. He was also a senior legal analyst for the California Department of Justice.

Please join the individuals and organizations supporting the *Birds of a Feather* commemoration. To become a major donor, benefactor, or supporter, [click here](#).



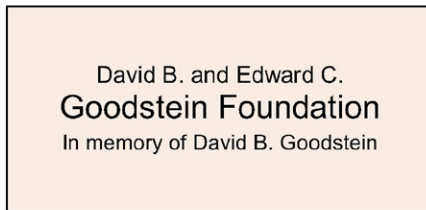
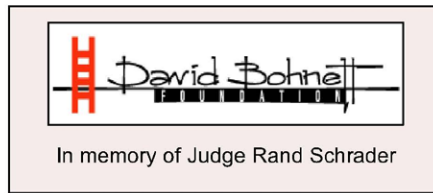
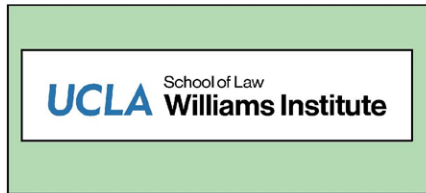
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Birds of a Feather

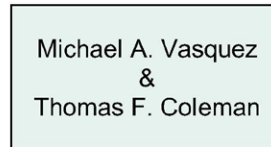
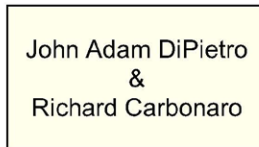
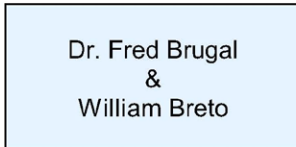
LGBTQ Legal History Project

We invite you to make a donation and join a growing list of individuals and organizations supporting the [Birds of a Feather](#) commemoration. Those donating \$1,000 or more will be listed as a major donor and will receive a full page of display space in the [memory book](#). Those who donate \$500 or more will be listed as a benefactor and will receive a quarter page of display space. Individuals who donate \$100 and organizations or businesses that donate \$250 will be listed as supporters of the project. A donation can be made as a gift to someone whose name will be listed or it can be made in memory of a deceased individual. [How to donate](#).

Major Donors



Benefactors



Supporters

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in memory of
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