

Spread the Word

By Reg P. Wydeven

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When I first started practicing law, I would sit in on many of my dad's appointments to learn how to help families with their estate plans. He had come across just about every type of family situation and had various mechanisms he would use to address them and assist the families to ensure their wishes were in order.

One particular situation my dad loved was helping families with special needs children. He explained that every parent faces challenges and has worries, but for parents of a special needs child, those challenges and worries can be magnified exponentially. My dad felt that one of the most rewarding parts of his job was helping give peace of mind to these parents by ensuring their special needs children will be taken care of if something happens to them and that any financial benefits they may receive will not be jeopardized.

When my practice started to grow, I also had the privilege of helping many families with special needs children. Through these families, I was introduced to The Arc Fox Cities. The Arc is a non-profit organization designed to advocate for individuals with developmental disabilities and provide support to their families. The Arc also acts as a liaison between these individuals and their families and the community and other non-profit agencies.

About five years ago, I had the honor of joining the board of directors of The Arc. I have met some awesome people through The Arc, including the members we serve, their families, our staff and fellow directors. Many of these individuals have had a tremendous impact on my life that will last a lifetime.

One of the causes The Arc has embraced is the Special Olympics' campaign to "Spread the Word to End the Word." The movement's goal is to get people to stop using the word "retard" or "retarded" and to educate people about its harmful and demeaning effect on people with disabilities. The campaign started at the 2009 World Winter Games, where people were asked to go online and sign a pledge to stop using the word.

To that end, The Arc Fox Cities is also actively looking to change its name. The non-profit's moniker was an acronym for The Association for Retarded Citizens. Although the organization changed the meaning to "Advocacy, Respect and Concern," many people still associate the name with the *r*-word.

The "Spread the Word" campaign was given a huge boost in 2010 when President Obama signed Rosa's Law, named for Rosa Marcellino, a Maryland girl with Down Syndrome. The measure requires the federal government to replace the terms "mental retardation" and "mentally retarded" with "intellectual disability" and "individual with an intellectual disability" in federal health, education and labor policies. Most states had already adopted similar policies.

The campaign was further bolstered by a recent decision by the United States Supreme Court. For the first time ever, the Court used the term "intellectual disability" in a decision instead of "mental retardation."

Justice Anthony Kennedy explained the change in his opinion, citing Rosa's Law and the latest edition of the Diagnostic and Statistical Manual of Mental Disorders. The decision was in *Hall v. Florida*, and involved the issue of whether states must consider a margin of error in IQ test scores when assessing who has intellectual disability. The case centered on Freddie Lee Hall, a convicted murderer who was sentenced to death despite having IQ scores ranging from 60 to 80.

"This is a monumental decision," explains Sonia Barham, Executive Director of The Arc Fox Cities. "With the backing of the federal government and its highest court, we are hopefully close to getting rid of the *r*-word forever."

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