

# Daily Journal

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## TOP BOUTIQUES 2023



TOP (FROM LEFT): Sophia Bliziotis, Janeen Steel, Dina C. Kaplan, Eric Menyuk, Jodi Ossen Bynder

BOTTOM (FROM LEFT): David German and Valerie Vanaman

### Vanaman German LLP

SHERMAN OAKS • SPECIAL EDUCATION & DISABILITY RIGHTS

**W**ith 10 attorneys, Vanaman German is probably the largest law firm in the country in its practice area. The firm specializes in defending and advocating for the educational rights of students with disabilities.

A large portion of those 10 lawyers' work is representing the families of disabled students in mediations and administrative hearings to obtain and maintain the students' Individualized Education Programs under the federal Individuals with Disabilities Education Act. They also advocate for students under California's disability rights law in what are called Regional Center cases.

In the more than 40 years since Valerie Vanaman launched what is now Vanaman

German, the firm has won thousands of victories for students and their education.

Some of those victories have been in important court cases. For instance, in July last year, the firm and co-counsel Disability Rights California settled a class action against the state that basically required changes to a hastily drafted post-pandemic statute that inadvertently would have prevented disabled students from continuing remote learning during the 2021-22 school year. The original statute "really created a huge danger for families, and they really had no choice" but to keep their children out of school for that year, *Vanaman said*. *E.E. v. California*, 3:21-cv-07585 (N.D. Cal., filed Sept. 29, 2021).

Vanaman German won a very significant decision from the 9th Circuit last December that reaffirmed and underscored the federal disability education act's "least restrictive environment" requirement that disabled students must be taught along with their non-disabled peers to the maximum extent possible. *D.R. v. Redondo Beach Unified School District*, 56 F.4th 636 (9th Cir., dec'd Dec. 20, 2022).

"Individuals do best, benefit most, are the happiest when they are with the general population," Vanaman said. Segregating special education students "is not a good thing and does not, in fact, ... provide the kind of growth that we'd like to see happen for students with disabilities."

But the goal of “full inclusion” had been “systematically eroded by school districts over the years,” she said.

German led the appeal. He said the appellate court made two important findings. The first is that “it doesn’t matter if a student with a disability is ... even dramatically behind their ... same age peers in the classroom,” he said. “As long as they can be making that progress [toward their goals] in a non-segregated setting, they have the right to be educated there.”

The second finding, “which again seemed to be very clearly articulated in the law ... but which had not been put into practice

in a lot of situations, is that you couldn’t hold it against the student that they require support and services to be successful within a non-segregated setting.”

“It was a very significant victory,” Vana\_ man said.

German became co-managing partner of the firm in 2021, and since then, he has expanded its practice into other disability-related matters, including personal injury cases. “He’s been extremely successful in that,” Vanaman said.

In fact, last October, he and co-counsel Omar Qureshi brought in a \$45 million jury verdict against the Santa Monica-Malibu school district for the family of

twin autistic boys who are nonverbal. A unanimous jury found that a behavioral aide had regularly used corporal punishment to control the boys and that several district staff knew about the abuse but did not stop it. The case is now on appeal. *Wong v. Santa Monica-Malibu Unified School District*, B327589 (Cal. App. 2nd Dist., filed March 16, 2023).

“We’re not aiming to become a PI firm,” German said. “We just felt like that’s something we needed to gain expertise in because some of our clients were unable to find effective representation.”

— Don DeBenedictis