

BROWN GOLDSTEIN LEVY

Regina "Gina" Kline



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Practice Areas

Civil Litigation; Civil Rights; Class Actions; Disability Consulting; Disability Rights; Public Interest Litigation; School Sexual Misconduct Proceedings; Wage and Hour Violations

Profile

Regina Kline joined Brown, Goldstein & Levy in February 2017. Gina is nationally known for her litigation and policy work in advancing the rights of people with disabilities to move from sub-minimum wage and segregated employment to competitive integrated employment. As a civil rights litigator and co-leader of Inklusivity (<https://inclusivity.consulting/>), BGL's Strategic Consulting Group, she helps organizations become more effective and inclusive by promoting the education, engagement, and employment of people with disabilities.

Prior to joining the firm, Gina served as Senior Counsel in the Office of the Assistant Attorney General for Civil Rights at the United States Department of Justice (DOJ), where she provided legal and policy counsel regarding efforts to implement the Americans with Disabilities Act and *Olmstead v. L.C.*'s mandate for community integration in employment, education, law enforcement/criminal justice, homelessness, and health care. She was co-lead on multi-agency efforts to address federal policy developments and law enforcement in disability employment programs nationwide. She provided counsel and advice and collaborated across the federal government, regarding the ADA, Fair Labor Standards Act, Medicaid Act, the Workforce Innovation and Opportunity Act (WIOA), and the False Claims Act. She also contributed to significant guidance issued by the Civil Rights Division; provided public testimony on behalf of the Department; and represented the Department on the President's Committee for People with Intellectual Disabilities.

As a Trial Attorney at the Civil Rights Division's Disability Rights Section, Gina's responsibilities included conducting investigations, complex civil litigation, settlement negotiations, and monitoring to enforce the rights of individuals with disabilities to receive services in the most integrated setting appropriate. She filed two of the Department's first cases challenging unnecessary segregation of people with disabilities in state-funded employment programs and reached the nation's first statewide settlement agreements to transform employment programs to serve people with disabilities in competitive integrated employment. She also helped develop and file the Department's first challenge to a segregated school system for students with behavioral disabilities. Gina received two prestigious Attorney General's awards for her work.

After law school, Gina clerked for the Honorable Linda K. Davis of the District of Columbia Superior Court. She researched and drafted opinions related to the family division and the criminal division and supported Judge Davis as the judge presided over the Criminal Mental Health Diversion Court Program.

During law school, Gina was a legal intern at the Washington Legal Clinic for the Homeless, served as a Clinic Legal Intern at the National Health Law Program, worked as a Public Policy Project Law Clerk at the Lawyers' Committee for Civil Rights Under Law, and was a Public Benefits Unit Legal Extern at the Legal Aid Society of the District of Columbia. At these positions, Gina assisted the homeless; lobbied members of Congress, drafted legal complaints, amendments, and proposed legislation; and provided free legal assistance to the District of Columbia's poorest residents.

While attending law school, Gina was also awarded The Order of the Barristers, which honors ten students who excel in trial and appellate advocacy, and the Joseph Bernstein Prize for legal writing. She was the Articles Editor of the *Journal of Race, Religion, Gender & Class*, chaired the Moot Court Board, was a member and grant recipient of the Maryland Public Interest Law Project, and served as an Academic Achievement Program Teaching Fellow.

When a family member with disabilities was targeted with discriminatory charges of harassment in a Title IX school disciplinary proceeding, Gina got the charges dropped and the student's academic record cleared. The client's family wrote, "Gina's extraordinary professional talent and brilliance was obvious, beginning with our first conversation and all the way through to the exact resolution that we had so fervently hoped for. Working with Gina was much more than glowing results. The way Gina treated my family during this extremely difficult time was absolutely invaluable. She was extraordinarily sensitive, respectful, empathetic, and supportive in every way at a difficult time in our lives. I will never forget the encouraging, motivating, and respectful way that she spoke to us and the enormous impact that her words had on us. Although we were in two different states, that never hindered my access to Gina or her responsiveness."

Education

- University of Maryland Carey School of Law, J.D., cum laude, Order of the Barristers, 2008
- Columbia University, B.A., Political Science, Astor Presidential Scholar, Dean's List, 2002

Clerkship

- Law Clerk to Judge Linda K. Davis of the District of Columbia Superior Court, 2008-2011

Bar Admissions

- Maryland

Representative Cases

- *Seneca Re-Ad Industries, Inc. v. Hugler and Steward, Felton and Magers v. Seneca Re-Ad Industries, Inc.* - Represents three individuals employed at a sheltered workshop in Seneca County, Ohio who were among the first to successfully challenge their receipt of subminimum wages in an administrative proceeding under the Fair Labor Standards Act, and who are currently seeking additional relief under the FLSA and Ohio law.
- *Michael A. Denoewer v. UCO Industries Inc. and Honda of America Manufacturing Inc.* - Represents an individual who was employed at a sheltered workshop outside of Columbus, Ohio in lawsuit brought under the Americans with Disabilities Act and Ohio law against his former employer for disability discrimination and against a major automotive maker for aiding and abetting the employer's discrimination.
- Represents minority business contractor, including Disability Business Enterprise, in an appeal from the Minority Business Enterprise Advisory Committee.
- Successfully defended a community mental health clinic against a private nuisance lawsuit and had the lawsuit dismissed.
- Represented a community mental health and substance use treatment program to successfully prevent the wrongful eviction of five of its consumers; as a result of this representation the tenants were reinstated by the landlord and eviction notices were withdrawn.
- Represented a student with disabilities who was targeted with discriminatory charges of harassment in a Title IX school disciplinary proceeding, resulting in the charges being dropped and the student's academic record cleared.
- Advised and assisted a group home client and successfully secured local zoning board approval for additional space for recreational activities and added services.

Landmark cases filed while serving in the Civil Rights Division at the United States Department of Justice

- *Lane v. Brown* - Counsel on litigation team that successfully resolved the nation's first class action lawsuit to challenge a state funded and administered employment service system, including sheltered workshops, as a violation of the ADA's integration mandate. The systemic case advanced the civil rights of thousands of individuals with disabilities unnecessarily segregated in sheltered workshops, 2015.
- *U.S. v. Rhode Island* - As lead counsel, successfully resolved systemic case to advance the civil rights of thousands of individuals with disabilities unnecessarily segregated in sheltered workshops, day programs, and secondary

school students placed at serious risk of such unnecessary segregation, 2014. The case resulted in the nation's first statewide settlement agreement vindicating the civil rights of individuals with disabilities who are unnecessarily segregated in sheltered workshops and facility-based day programs.

- *U.S. v. Rhode Island and City of Providence* - As lead counsel, successfully resolved systemic case to advance the civil rights of hundreds of individuals with disabilities unnecessarily segregated in a Providence, Rhode Island sheltered workshop and secondary school students placed at serious risk of that sheltered workshop, 2013.
- *U.S. v. North Carolina* - Counsel on litigation team in an Olmstead case that resulted in an agreement providing permanent supportive housing to thousands of people with mental illness who were segregated in adult care homes, 2012.

Awards

- Lawdragon 500 Leading Plaintiff Employment Lawyers, 2019
- United States Attorney General's John Marshall Award for *Lane v. Brown* litigation, 2016.
- United States Department of Justice, Civil Rights Division, Assistant Attorney General's Distinguished Service Award, 2015.
- United States Department of Justice, Civil Rights Division, Special Commendation Award, 2015.
- United States Attorney General's Award for Outstanding Contributions of a New Employee, 2014.
- United States Department of Justice, Civil Rights Division, Meritorious Award, 2014.
- United States Department of Justice, Civil Rights Division, Certificate of Commendation, 2012.
- United States Department of Justice, Civil Rights Division, Assistant Attorney General's Distinguished Service Award, 2012.
- Order of the Barristers for Excellence in Courtroom Advocacy, University of Maryland Carey School of Law, 2008.
- The Joseph Bernstein Prize for Legal Writing, University of Maryland Carey School of Law, 2008.
- Top Prize, Luke Charles Moore Civil Rights Moot Court Competition, Howard University Law School, 2008.
- Selected to Co-Author the University of Maryland School of Law Fall Moot Court Problem, 2007.

Activities

- Disability Rights Maryland, Board Member
- Homeless Children's Playtime Project, Washington, D.C., Co-Founder; Advisory Board Member, 2003-2011
- Americorps VISTA, 2002-2003

Media

- Gina is quoted in the December 21, 2017 *The Daily Record* article "Brown, Goldstein & Levy Involved in Unique Ohio Discrimination Case."
- Gina is quoted in the December 15, 2017 *The Columbus Dispatch* article, "Marysville Man with Disabilities Sues U-CO Industries, Honda Alleging Discrimination."
- At the Department of Justice, Gina filed three landmark cases that reached the nation's first settlement agreements to transform employment programs to serve people with disabilities in competitive integrated employment. On April 11, 2014, Editorial Board of the *New York Times* endorsed the Rhode Island case as "a model for the treatment of the nation's 450,000 developmentally disabled who are still largely kept in [segregated employment settings]." As a result of these settlements, approximately more than 10,000 people with disabilities will receive the services and supports necessary to transition into public or private sector employment over the next decade.

Presentations

- Testimony to U.S. Commission on Civil Rights, Written Q&A about Subminimum Wages: Impacts on the Civil Rights of People with Disabilities Panel: Reform to the 14(c) Program, Washington, DC, January 16, 2020
- Supplemental Testimony before the U.S. Commission on Civil Rights about Subminimum Wages: Impacts on the Civil Rights of People with Disabilities Panel: Reform to the 14(c) Program, Washington, DC, December 16, 2019
- Testimony before the U.S. Commission on Civil Rights about Subminimum Wages: Impacts on the Civil Rights of People with Disabilities Panel: Reform to the 14(c) Program, Washington, DC, November 15, 2019
- Moderated discussion with Vanita Gupta, TASH Legal Symposium Awards Dinner, July 25, 2019
- Testimony to the National Council on Disability about the 2018 Report National Disability Employment Policy, From the New Deal to the Real Deal: Joining the Industries of the Future, October 16, 2018
- WIOA, IDEA, the ADA and Olmstead: How to Use These Tools Together to Drive Successful Outcomes For Youth With

- Disabilities," Missouri School Boards' Association Annual Conference, Osage Beach, MO, September 28, 2018.
- Presenter on behalf of Inclusivity Strategic Consulting, Panel Discussion, "History of *Olmstead v. L.C. & E.W.*," 2018 TASH Outstanding Leadership in Disability Law Symposium, Washington, DC, July 19, 2018.
- Presenter, Vocational Rehabilitation Youth Technical Assistance Center (Y-TAC) webinar "[Workforce Innovation and Opportunity Act \(WIOA\) - Critical Definitions](#)," June 12, 2018.
- Presenter on behalf of Inclusivity and Institute for Educational Leadership, "What School Leaders Need to Know: The Changing Legal Landscape Around Preparing Youth with Disabilities for Work," Community Schools National Forum, Baltimore, MD, May 2, 2018.
- Closing Plenary Panel, 2018 Jacobus tenBroek Disability Symposium, Baltimore, MD, March 2018.
- Co-Presenter with Eve L. Hill, on behalf of Inclusivity and Institute for Educational Leadership, "Essential Guide to the Workforce Innovation and Opportunity Act—Using WIOA to Support ADA Integration in Competitive Integrated Employment," 2018 Jacobus tenBroek Disability Symposium, Baltimore, MD, March 2018.
- COPAA National Conference, "WIOA, IDEA, the ADA, and Olmstead: How to Advance Those Tools Together in Your Advocacy," Monterey, CA, March 8, 2018.
- Testified before the Georgia Advisory Committee to the U. S. Commission on Civil Rights, Hearing on the Enforcement of *Olmstead v. L.C.*, February 27, 2018.
- Co-Presenter, National Teleconference to the Vocational Rehabilitation Attorney Network on the Workforce Innovation and Opportunity Act, hosted by the Council of State Administrators of Vocational Rehabilitation, September 21, 2017.
- Co-Presenter, "Supply Chain Awareness & Transparency, & Accessible Technology," Annual USBLN Conference (Going for the Gold Companies), Orlando, FL, August 21, 2017.
- "New Methods to Ensure that Individuals with Disabilities are Paid Appropriate Wages, Have Access to Reasonable Accommodations, and Opportunities for Advancement, Promotion, and Integration," NDRN 2017 P&A/CAP Annual Conference, Baltimore, MD, June 14, 2017.
- Office of Disability Employment Policy, National Webinar, 2016.
- LEAD Center, National Webinar, "Competitive Integrated Employment as a Civil Right for People with Disabilities," 2016.
- Mid-Atlantic ADA Update Conference, Baltimore, MD, 2016.
- American Congress of Community Supports and Employment Services (ACCSES) Annual Conference, Washington, DC, 2016.
- Closing Plenary Panel, 2016 Jacobus tenBroek Disability Symposium, Baltimore, MD, 2015.
- Public Testimony on behalf of the Department of Justice to the WIOA Advisory Committee on Competitive Employment, Washington, DC, 2015.
- TASH Disability Conference, Portland, OR, 2015.
- LEAD Center, National Webinar, "Disability, Employment & *Lane v. Brown*," 2015.
- National Rehabilitation Institute Conference, San Diego State University, Alexandria, VA, 2015.
- Plenary, Council of Parent Attorneys and Advocates, Inc. (COPAA) Conference, San Diego, CA, 2015.
- National Health Law Program (NHeLP) Conference, Washington, DC, 2014.
- Plenary, SourceAmerica Annual Conference, North-Central Region, Chicago, IL, 2014.
- National Association of State Directors of Developmental Disabilities (NASDDDS) Conference, Alexandria, VA, 2014.
- National Teleconference, Easter Seals Affiliates, "Disability Employment National Influencers and Trends," 2014.
- American Network of Community Options and Resources (ANCOR) Conference, Baltimore, MD, 2014.
- United States Business Leadership Network National Teleconference to Member Companies, 2013.

Publications

- "National Disability Employment Policy, From the New Deal to the Real Deal: Joining the Industries of the Future," National Council on Disability, October 16, 2018.
- E. Hill, R. Kline, C. Richards, "Preparing Transition-Age Youth with Disabilities for Work: What School Leaders Need to Know About the New Legal Landscapes," Institute for Educational Leadership Policy Brief, February 2018.
- "*Thompson v. HUD*: Groundbreaking Housing Desegregation Litigation, and the Significant Task Ahead of Achieving an Effective Desegregation Remedy Without Engendering New Social Harms," *U.M.D. L. J. Race, Religion, Gender, & Class* (Vol. 6.2, Spring 2007).

Blog Articles

- Four Years After a Landmark Settlement in Rhode Island, the Fight for Inclusion Continues

For additional information on Inclusivity Strategic Consulting, please go to <https://inclusivityconsulting/>.