

Proskauer Announces Final Approval of Settlement to Reform Special Education Services throughout the New Jersey Prison System

March 4, 2022

NEW YORK, March 4, 2022 - Proskauer, a leading international law firm, announced today that a settlement agreement has been approved by a New Jersey federal judge that will reform special education services throughout the New Jersey prison system.

More than 400 people will be impacted by the settlement, which comes after the Firm, through its pro bono work, filed a lawsuit in conjunction with the American Civil Liberties Union of New Jersey (ACLU-NJ) and the Disability Rights Advocates (DRA), against the New Jersey Department of Corrections (NJDOC) and the New Jersey Department of Education (NJDOE). The suit claimed that the NJDOC and NJDOE failed to provide education to youth with disabilities throughout the prison system, including to students held in solitary confinement.

Proskauer served as co-counsel for plaintiffs ACLU-NJ, The Arc of New Jersey and three incarcerated students, who alleged that they had been denied special education services by NJDOC and who spent more than 500 combined days in solitary confinement. The Proskauer team included Partner [William C. Silverman](#) and associate [Russell Gorkin](#).

“Because of this case, people who go to prison at a young age, like I did, should now get the education and extra support they deserve. I'm proud I created possibilities and a chance at a better way of life for so many people,” said Adam X. (a pseudonym), a plaintiff in the case.

“The settlement's approval will allow the NJDOJ and NJDOE to start making the necessary reforms in order to provide students in New Jersey prisons with meaningful access to special education services,” said Proskauer Partner William C. Silverman, who leads the Firm’s global pro bono efforts. “Through this approved settlement, there is now a nationwide model for the implementation of special education services throughout the prison system.”

The settlement terms include an overhaul of the NJDOC’s policies regarding special education and related services, a five-year monitoring term, and an innovative program – administered by a court-appointed External Monitor – whereby class members can apply for compensatory education.

The settlement class includes anyone who was in NJDOC custody any time on or after January 11, 2015, and was, or should have been, identified as being entitled to special education services, or anyone who entered under the age of 18 and without a high school diploma during those years, and therefore includes people still in prison and those who have already been released.

About Proskauer

We are 800+ lawyers serving clients from 12 offices located in the leading financial and business centers in the Americas, Europe and Asia. The world’s leading organizations, companies and corporations choose us to be their representatives in their most critical situations. But more, they consider Proskauer a strategic partner to drive their business forward. We work with asset managers, major sports leagues, Fortune 500 companies, entertainment industry legends and other industry-redefining companies.

At Proskauer, "for good" means giving of ourselves and making a positive impact on the lives of those less fortunate. Our pro bono work breaks boundaries. From high-impact litigation and complex transactions for nonprofit organizations, to matters for low-income individuals seeking equal access to justice – we are committed to driving businesses as well as society, forward.

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- **William C. Silverman**
Pro Bono Partner