

MATTHEW “HEZZY” SMITH, ESQ.

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Smith is a trilingual, Fulbright award-winning attorney with over a decade of on-the-ground experience working with, training, and advocating for persons with intellectual and other disabilities in the United States, Bangladesh, Mexico, and beyond. His Spanish, English, and Bangla language materials have shaped disability rights strategic litigation and important decisions by national and regional courts, and his disability rights scholarship has appeared in collections published by Cambridge University Press and Oxford University Press, as well as both U.S. and international law reviews. A lifelong advocate for his sister, who has Down syndrome, he has designed and implemented disability rights initiatives of increasing sophistication in the United States and abroad. He has trained and collaborated with local actors in English, Spanish, and Bangla to mount successful strategic litigation, as in *Chowkider v. Bangladesh Civil Service* which opened Bangladesh’s civil service to blind persons for the first time, and to ensure that national and regional tribunals recognize the rights of persons with disabilities, such as the rights of prisoners with disabilities in the Inter-American Court of Human Rights’ *Chinchilla Sandoval v. Guatemala* decision.

EMPLOYMENT

Harvard Law School Project on Disability (HPOD), Cambridge, MA 2020 to Present
Director of Advocacy Initiatives

- Drafted amicus briefs in English and Spanish in 8 matters involving voting rights, informed consent, torture, immigration, guardianship and access to adult services before the European Court of Human Rights, Inter-American Court of Human Rights, the Ninth and Fifth Circuits of the U.S. Court of Appeals, Massachusetts Appeals Court, and the Colombia Constitutional Court.
- Supervised inclusive research program where self-advocates collaborate with non-disabled researchers, including study of group home residents with intellectual disabilities’ experiences during the COVID-19 pandemic.

Hunter College at the City University of New York, New York, NY 2016 to 2020
Senior Project Coordinator

- Coordinated 5-year, \$1.5 million grant-sponsored activities across 4 organizations and 5 sites, as part of largest pilot project on supported decision-making for persons with intellectual disabilities in the United States, resulting in over 100 supported decision-making agreements being signed and passage of novel legislation.

TEACHING EXPERIENCE

La Salle University, Mexico City
Adjunct Professor, Department of Postgraduate and Research

Aug. to Dec. 2015

- Taught “Research Protocol Design,” an introductory graduate course for 6 Ph.D. candidates on legal research design and methods in Spanish.

Open Society Institute, Tbilisi

June to Aug. 2016

Instructor, Pre-Academic Summer Program

- Taught “Legal Writing,” an intensive LL.M. preparatory course of 5 students from 5 countries covering the IRAC legal analysis method.

CONSULTANCIES

Institute for Community Inclusion, University of Massachusetts Boston

2017 to Present

Consultant

- Facilitated inclusive, qualitative research by self-advocates and non-disabled researchers on transfer of rights practices in 6 New York and Massachusetts school districts.
- Compiled 50-state databases for alternatives to guardianship for adults with intellectual disabilities and for state transfer of rights laws and policies.

BlueLaw International, Dhaka, Bangladesh

2017 to 2020

Senior Associate for Human Rights & Inclusive Development

- Managed 3-year, \$560,000 USAID-funded capacity-building and advocacy activities of 3 national Bangladeshi organizations and 7 grassroots disabled people’s organizations, resulting in trainings for over 3,000 persons with disabilities and the country’s first 22 complaints under its 2013 disability rights law.

Various Immigration Legal Aid Providers, Various, U.S.

2015 to 2020

Expert Witness

- Provided expert testimony and research on Mexico’s mental health system for U.S. attorneys representing persons with psychosocial and intellectual disabilities in over 4 dozen removal proceedings.

Harvard Law School Project on Disability (HPOD), Various

Research Associate

2014 to 2019

- Supervised production of training videos and workshops for self-advocates in New York on supported decision-making.
- Assisted self-advocates in Massachusetts to form a supported decision-making task force.
- Drafted Spanish-language amicus brief on disabled prisoners’ rights in *Chinchilla v. Guatemala* before the Inter-American Court of Human Rights.
- Drafted analysis of Bangladesh disability rights laws and trained disabled people’s organizations, leading to successful High Court writ petition forcing implementation.
- Drafted first Bengali-language training manual and supervised production of documentary video on self-advocacy.

Extern

2009 to 2013

- Conducted organizational assessment of BRAC disability employment policies and practices.
- Drafted policy paper on disability rights legislation based on workshops and trainings for grassroots persons with disabilities in 12 districts.

- Supervised 5 undergraduate field research projects on prisoners with psychosocial disabilities, the mental health service delivery system, and sexual and physical assault survivors with disabilities.
- Conducted field research for and co-drafted first Bengali-language training manual on disability rights lawyering.
- Devised litigation strategies and advocacy campaigns in 4 petitions at Bangladesh’s High Court on employment discrimination, harassment of student with disabilities, and arbitrary arrests of beggars with disabilities.

HONORS AND AWARDS

U.S. Department of State, Fulbright-Garcia Robles Research Scholar 2014-2015
 Designed and implemented 2 weeklong training programs for Mexican state judges in Yucatán and Campeche on international disability rights law, conducted research and advocacy on guardianship and psychiatric hospitalization practices, and provided technical support to drafters of Mexico City’s civil code guardianship provisions.

American University, Public Interest/Public Service (PIPS) Scholar 2011-2014
 Three-year, full-tuition scholarship for academic excellence and dedication to public service.

Harvard University, Frederick B. Sheldon Fellow 2008-2009
 Delivered first trainings for disabled persons organizations in Calcutta and in Bangladesh on the UN Convention on the Rights of Persons with Disabilities.

PUBLICATIONS

Peer-Reviewed Journal Articles

Cady Landa, Matthew S. Smith, Allison C. Hall, Jen Bose, Jaimie C. Timmons, and Michael Ashley Stein. “What Is Known About Schools’ Transfer of Rights Practices for Students With Intellectual and Developmental Disabilities.” *Journal of Special Education* (2023) (online first).

Melissa E. Mendoza, Matthew S. Smith, Timothy F. Brewer, Michael Ashley Stein, and S. Jody Heymann. “Lessons from United States school district policies and approaches to special education during the COVID-19 pandemic.” *International Journal of Inclusive Education* (2022) (online first).

Matthew S. Smith, Md. Rejaul Karim Siddiquee, Michael Ashley Stein, and Janet E. Lord. “Mobilizing Disabled Peoples’ Organizations to Implement Bangladesh’s Disability Law.” *Journal of Human Rights Practice* 13/2 (2021): 433-445.

Janos Fiala-Butora, Matthew S. Smith, and Michael Ashley Stein. “*Strøbye and Rosenlind v Denmark*: A Surprising Departure from the European Court of Human Right’s Disability Voting Rights Jurisprudence.” *European Human Rights Law Review* 2 (2021): 201-206.

Francisco J. Bariffi and Matthew S. Smith. "Same Old Game but with Some New Players: Assessing Argentina's National Mental Health Law in light of the rights to liberty and legal capacity under the UN Convention on the Rights of the Persons with Disabilities." *Nordic Journal of Human Rights* 31/3 (2013): 325-342.

Book Chapters

Matthew S. Smith, Tara Allison, and Michael Ashley Stein. "Sexual Agency as a Rights-Based Imperative for Persons with Intellectual Disabilities." In *Disability Health, Law, & Bioethics*. Eds. I. Glenn Cohen, Carmel Shachar, Anita Silvers, and Michael Ashley Stein. Cambridge University Press, 2020.

Matthew S. Smith and Michael Ashley Stein. "Combating the Exclusion and Marginalization of Persons with Intellectual Disabilities from Higher Education in the United States." In *A Better Future: The Role of Higher Education for Displaced and Marginalized People*. Eds. Jacqueline Bhabha, Wenona Giles & Faraaz Mahomed. Cambridge University Press, 2020.

Matthew S. Smith and Michael Ashley Stein. "Article 30 as a Vehicle for Social Transformation: Harnessing the CRPD's Potential for Persons with Intellectual Disabilities." In *Recognising Rights in Different Cultural Contexts: The United Nations Convention on the Rights of Persons with Disabilities (CRPD)*. Eds. Kelley Johnson and Emily Kakoullis. Palgrave Macmillan, 2020.

Matthew S. Smith and Michael Ashley Stein. "Mexico." In *Domestic Interpretation of the UN Convention on the Rights of Persons with Disabilities: A Comparative Analysis*. Eds. Anna Lawson and Lisa Waddington. Oxford University Press, 2018.

Adalberto Méndez López and Matthew S. Smith. "La Capacidad Jurídica de las Personas con Discapacidad en México: Hacia una Reforma Legislativa con Enfoque de Derechos Humanos" [Legal Capacity of Persons with Disabilities in Mexico: Towards Rights-Based Legislation]. In *Derechos Humanos: Retos y Perspectivas* [Human Rights: Challenges and Perspectives]. Ed. Martha María del Carmen Hernández Álvarez. Tirant Lo Blanch, 2016.

Legal Journal Publications

Matthew S. Smith and Michael Ashley Stein. *The Disabled Contract: Severe Intellectual Disability, Justice and Morality* by Jonas-Sébastien Beaudry (review). *Human Rights Quarterly* 44/4 (2022): 839-845.

Matthew S. Smith and Michael Ashley Stein. "When Does Mental Health Coercion Constitute Torture?: Implications of Unpublished U.S. Immigration Judge Decisions Denying Non-Refoulement Protection." *Fordham International Law Journal* 45 (2022): 781-852.

Matthew S. Smith and Michael Ashley Stein. "Transfer of Parental Rights: The Impact of Section 615(m) of the Individuals with Disabilities Education Act." *Drexel Law Review* 13 (2022): 987-1076.

Matthew S. Smith and Michael Ashley Stein. “Global Disability Cause Lawyering: Lessons from the United States.” *The Practice* (May/June 2022).

Matthew S. Smith and Michael Ashley Stein. “Connecting the Right of Collective Legal Capacity by Indigenous Peoples with the Right of Individual Legal Capacity by Persons with Disabilities.” *International Human Rights Law Review* 9/2 (2020): 147-183.

“Protecting Former Employees with Disabilities Who Receive Fringe Benefits under Title I of the Americans with Disabilities Act.” *American Bar Association Journal of Labor and Employment* 29/2 (2014): 349-371.

Training Manuals

Protibondhi Baktir Odhikar o Surokkha Ain, 2013: Baboharik Nirdeshika [The Persons with Disabilities’ Rights and Protection Act, 2013: A Practice Guide]. BlueLaw International and Bangladesh Legal Aid and Services Trust, 2018.

Protibondhi Baktir Odhikar o Surokkha Ain, 2013: DPOder Advocacy Handbook [The Persons with Disabilities’ Rights and Protection Act, 2013: A Handbook for DPO Advocacy]. BlueLaw International and Bangladesh Legal Aid and Services Trust, 2018.

Amar Kotha Ami Bolbo: Buddhi Protibondhi Manusher Odhikar Adayer Self-Advocacy Banglashedh Prekkhito [I Will Raise My Voice: How Persons with Intellectual Disabilities Assert Their Rights through Self-Advocacy in Bangladesh]. SEID, 2013.

Protibondhi Odhikar Ain: Ainjibider Nirdeshika [Disability Rights Law: A Lawyer’s Guide]. HPOD and Bangladesh Legal Aid and Services Trust, 2012.

Conference Papers

Hezzy Smith. “The Right to Equality & Non-discrimination for Persons with Disabilities in Bangladesh: Towards Adequate Legal Protections.” University of Wisconsin-Madison, 5th Annual South Asian Legal Studies Pre-conference Workshop, Oct. 20, 2011 (unpublished manuscript).

Brief Works

Hezzy Smith. “MGH’s R-Word Problem.” *The Boston Globe*, Feb. 6, 2023.

William J. Alford, Matthew S. Smith, and Michael Ashley Stein. *The Right to Political Participation of Persons with Intellectual Disabilities*. Special Olympics Global Center for Inclusion in Education, Oct. 2022.

Matthew S. Smith. “The Right to Legal Capacity, Its Recognition in Human Rights Law, and Challenges for Women with Disabilities.” *ARROW for Change* 18/1 (2022): 13-15.

Chester A. Finn, Matthew S. Smith, and Michael Ashley Stein. “How Persons with Intellectual Disabilities Are Fighting for Decision-Making Rights.” *Current History* 121/831 (2022): 30-35.

Matthew S. Smith and Michael Ashley Stein. “*Vikash Kumar*: Dignity and Disability Rights at the Indian Supreme Court.” Oxford Human Rights Hub, Dec. 17, 2021.

Matthew S. Smith and Michael Ashley Stein. “Legal Capacity and Persons with Disabilities’ Struggle to Reclaim Control over Their Lives.” *Bill of Health*, Sep. 29, 2021.

Bill Alford, Anne Fracht, Marie Hennessy, and Hezzy Smith. “How to Strengthen the Americans with Disabilities Act after 30 Years: Promoting Supported Decision-Making for Persons with Intellectual and Developmental Disabilities.” *Harvard Law Review Blog*, Aug. 7, 2021.

Hezzy Smith and Samantha Colli Sulú. “Litigando estratégicamente derechos de personas con discapacidad en Latinoamérica: Reflexiones del caso de Ricardo Adair ante la Suprema Corte de Justicia Mexicana” [Strategic Litigation in Latin American on the Right of Persons with Disabilities: Reflections on the Ricardo Adair case before the Mexican Supreme Court]. Repository of the Ibero-American Network of Experts on the Convention on the Rights of Persons with Disabilities, Dec. 5, 2014.

Hezzy Smith. “El derecho de acceso a la justicia en condiciones de igualdad: Una realidad en nivel local” [The right to access justice on an equal basis with others: A local reality]. *Justicia en Yucatán* 42: pp. 20-22, Mar. 1, 2015.

Hezzy Smith. “Disability Rights and the Road to Legal Reform.” *Forum*, Dec. 2011.

Hezzy Smith. “To beg or not to beg.” *The Daily Star*, Jan. 17, 2011.

REPRESENTATIVE PRESENTATIONS

Panel, Villanova University CARES Symposium, “The Road to Abolition: Intersectional Approaches to Immigrant Justice,” Apr. 8, 2022.

Workshop, “Understanding Transfer of Rights Discussions to Foster Meaningful Systems Change,” TASH Conference, Dec. 1, 2021.

Workshop, “The high stakes of transfer of rights for students with intellectual disabilities,” Council on Exception Children Convention & Expo, Mar. 11-13, 2021.

Panel, “Supported Decision-Making Legislation: What Does It Mean For Guardianship and For People With Disabilities?,” Committee on Disability Rights Program, New York State Bar Association Annual Meeting, Jan. 21, 2021.

Keynote, “Transition Justice?: How Adult Students with Intellectual and Cognitive Disabilities Fall Through the IDEA’s Cracks,” *Drexel Law Review* Symposium, Oct. 21, 2020 (with Michael Ashley Stein).

Panel, “SDMNY: Lessons Learned 3 Years into a Statewide Supported Decision-Making Pilot,” National Resource Center for Supported Decision-Making Symposium, June 10-11, 2019.

Workshop, “Stopped at the Border: The Rights of Immigrants and Refugees with Disabilities under U.S. and International Law,” Jacobus tenBroek Disability Law Symposium, Mar. 28-Apr. 3, 2019.

Speaker, Book Launching Ceremony, USAID’s Expanding Participation of People with Disability Program, Oct. 14, 2018 (Bengali).

Speaker, 45th Congress of the National Assembly of Lawyers of Mexico, July 18-19, 2017 (Spanish).

Panelist, Autistic Self-Advocacy Network’s Invitational Summit on Supported Decision Making and the Transition into the Community, Oct. 18-19, 2016.

Training, “Litigation and case law on guardianship: the case of Ricardo Adair in Mexico and the case Jenny Hatch in Virginia, USA,” Day of Virtual Training on Legal Capacity and Access to Justice for Persons with Disabilities, Congress of Colombia and the Organization of American States, Mar. 31, 2016 (Spanish).

Workshop, 27th International Law Symposium by the Technology Institute of Monterrey, Nov. 12, 2015 (Spanish).

Presentation, “Marginalization of persons with disabilities within the Inter-American System of Human Rights,” 5th Permanent Seminar on International Law by the *Mexican International Law Yearbook*, Sep. 2-4, 2015 (Spanish).

Training, Disability Rights Fund Grantee Convening, Mar. 3-5, 2015 (Bengali).

Training, International Conference on the Reform to the Peruvian Civil Code Regarding the Legal Capacity of Persons with Disabilities, Congress of Peru and the Organization of American States, Feb. 13, 2014 (Spanish).

Paper Presentation, “Establishing a New Disability Law Based on Grassroots Expectations,” Bangladesh Institute of Law and International Affairs Conference, “Disability Laws: Towards an Agenda for Reform,” July 24, 2010 (Bengali).

MEDIA COVERAGE

“Informed Choices, Supported Decisions.” *Including You: A Disability Rights Arkansas Podcast*, Jan. 31, 2023.

Nicole Zerillo. "Person First, Disability Second: The Road to Full Inclusion." *Non-Profit Quarterly*, Mar. 14, 2022.

Elaine McArdle. "Harvard Law School Project on Disability provides legal supporting during pandemic." *Harvard Law Today*, June 7, 2021.

Meghna Mukerjee. "Fighting for disabled rights in Bangladesh." *The Telegraph*, Oct. 26, 2010.

"UW-Madison language immersion programs help students." *Pioneer Press*, Aug. 9, 2008.

Thomas Farragher. "Tackling freshman year against the odds." *The Boston Globe*, June 19, 2005.

ACKNOWLEDGEMENTS

Michael Szporluk. "Preferential Contracting for Persons with Disabilities: Approaches to Improving Employment Opportunities and Outcomes for Persons with Disabilities and Disability Inclusion in Business." UNESCAP Policy Paper No. 6 (2022).

William P. Alford. "The Discordant Singer: How Peter Singer's Treatment of Global Poverty and Disability Is Inconsistent and Why It Matters." *American Journal of Law and Equality* 1 (2021): 194-220.

Kristin Booth Glen. "Not Just Guardianship: Uncovering the Invisible Taxonomy of Laws, Regulations and Decisions that Limit or Deny the Right of Legal Capacity for Persons with Intellectual and Developmental Disabilities." *Albany Government Law Review* 13 (2020): 25-93.

National Grassroots and Disabilities Organization, National Council for Women with Disabilities, and Bangladesh Legal Aid and Services Trust. *Current Status of Rights of Persons with Disabilities in Bangladesh: Legal and Grassroots Perspectives* (2015).

World Health Organization. *Eliminating forced, coercive and otherwise involuntary sterilization: An interagency statement* (2014).

Michael Ashley Stein and Janet E. Lord. "Enabling Refugee and IDP Law and Policy: Implications of the U.N. Convention on the Rights of Persons with Disabilities." *Arizona Journal of International and Comparative Law* 28/2 (2011): 401-433.

PROFESSIONAL AFFILIATIONS

TASH <i>Board Member</i>	2021 to Present
New York State Bar, Third Department <i>Admitted Attorney</i>	2015 to Present
Helping Educate to Advance the Rights of the Deaf (HEARD)	2016 to 2018

Board Member and Treasurer

EDUCATION

- J.D. American University, Washington College of Law** May 2014
Honors: Magna Cum Laude, Public Interest/Public Service full-tuition, 3-year scholarship for academic excellence and dedication to public service, Order of the Coif, T. Morton McDonald Scholarship Award for excellence in legal research, ABA Labor & Employment Section Annual Student Writing Award, Robert D. Reif Fellowship in Legal Ethics & Professional Values, Morris & Claire Krauthamer Prize in Disabilities Law
Activities: Disability Law Society (co-founder), Disability Rights Law Clinic (student attorney), *American University International Law Review* (senior staff)
- B.A. Harvard University** May 2008
Major: English; Minor: Italian
Honors: Cum Laude, Ames Award for exceptional public service, Jay Vanderpool Memorial Prize and David Moreland Prize for outstanding leadership and public service, Jaromir Ledecy International Fellowship in Journalism for journalistic excellence
Activities: Kids with Special Needs Advancement Program (co-director), Policy Group for Independent Living (director), *Harvard Book Review* (staff writer)

LANGUAGES

English: Native Language

Spanish: Advanced Listener, Speaker, Reading and Writing

Bengali: Intermediate Listener, Speaker, Reading and Writing

Italian: Intermediate Listener, Speaker, Reading and Writing

PERSONAL

Unabashed New York Yankees and Knicks fan, chess enthusiast, and proud husband of Bhargavi.