Dennis E. Haggerty, Esquire, “Father of the Right to Education Act”

Dennis E. Haggerty, Esquire died July 17, 2013.

Mr. Haggerty is properly described as “Father of the Right to Education Act,” benefitting millions of people in Pennsylvania and throughout the United States.

On his continuous initiative, legal and legislative actions were pursued in federal and state courts, as well as US and state legislatures. Mr. Haggerty’s goal was to correct and ultimately change the "standard of care" for people with disabilities who were residents in private and public facilities.

Mr. Haggerty was recognized nationally by six Presidential appointments to the "President’s Commission for Mental Retardation."

At a hearing in the Delaware County Courthouse, Mr. Haggerty was honored by the judiciary, lawyers, and citizens of the Greater Delaware Valley, PA. The President Judge Cronin, PJ proclaimed in open court the Mr. Haggerty’s accomplishments:

Following his graduation from St. Thomas More High School, St. Joseph's College, and honorable service in the United States Navy, Dennis E. Haggerty embarked on the study of law at Temple University Law School and completed his degree with distinction in 1956, following which he was admitted to the practice of law in the Commonwealth of Pennsylvania.

In 1964, having become frustrated at the lack of any educational opportunities available to his six year old child, a profoundly disabled boy fondly known as "Boomer," Dennis E. Haggerty, Esq. became resolutely involved in a Delaware County chapter of the Pennsylvania Association of Retarded Citizens (hereinafter "PARC,") first as a member, then as a Committee Chair, then as a Board Member, and later as a State Delegate, serving in all positions with the highest degree of dedication, creativity, compassion, and courage.

In 1968, as Chairman of PARC's State Residential Care Committee, Dennis E. Haggerty, Esq. witnessed the horror of the involuntary restraints, abuse, over-medication, forced isolation, and complete deprivation of any meaningful educational opportunities for those mentally retarded residents of state sponsored institutions and facilities; and as father, advocate, and attorney proclaimed all ethically and legally wrong, vowing from that point forward to chart a new course for these citizens so that they might obtain all the educational, physical, and emotional security guaranteed by the Pennsylvania and United States Constitutions and laws.
In 1968, in recognition of his dedication, ingenuity and scholarship, Dennis E. Haggerty, Esq. was appointed by President Lyndon Johnson to serve as Special Consultant to the newly formed "President's Committee on Mental Retardation" to develop research goals, treatment guidelines, special education, and habilitation policy for mentally retarded citizens, and to raise awareness of the need for Civil Rights legislation and protections to be afforded to the mentally retarded and handicapped both nationally and internationally, a role Dennis E. Haggerty, Esq. fulfilled faithfully for 22 years under six United States Presidents.

In 1970, Dennis E. Haggerty, Esq. prevailed upon the PARC to fund, finance, and engage gifted litigators, handpicked by Mr. Haggerty, to challenge the status quo and seek fundamental legal reform of existing wrongs through class litigation, a strategy which he employed to great success both in the Commonwealth and later nationally.
In 1971, through the actions of Dennis E. Haggerty, Esq., victory was obtained for the mentally retarded in the landmark case of PARC v. Pennsylvania, wherein the Commonwealth of Pennsylvania agreed from that point forward to safeguard and insure a fundamental right to a free and appropriate education for all retarded and mentally afflicted citizens; and in the aftermath of this decision, in no small measure to the victory by PARC, Congress enacted the Rehabilitation Act of 1973 and the Education of All Handicapped Children Act of 1975, sealing those protections for generations to come.

While actively in service as the Special Master, appointed by the Federal Court, to implement the PARC v. PA Right to Education consent decree, Dennis E. Haggerty, Esq., through litigators selected and emboldened by Haggerty, empowered the PARC, in conjunction with the newly founded Public Interest Law Center, to challenge and overturn through class litigation the Commonwealth's paradigm that institutionalization of mentally retarded persons represented the most appropriate and least restrictive living environment; and in so doing was regarded as instrumental in shuttering infamous and uninhabitable places like Pennhurst State Mental Hospital, changing forever the lives of its residents and the landscape of services, care, and accommodations for persons with developmental disabilities.

In 1972, at the urging of Congressional Gold Medal winner Rev. Theodore Hesbergh, Dennis E. Haggerty, Esq. and others established the first legal advocacy center in the United States for persons with disabilities, the National Center for Law and the Handicapped at the University of Notre Dame, which in the decades to come, through his leadership and stewardship as an Executive Board member, instigated and enabled, as he had done in the PARC cases, numerous successful test cases and class action cases seeking to mandate appropriate accommodations for the mentally retarded, handicapped, and disabled to properly access and enjoy public facilities, transportation, and accommodations; the sum of these efforts leading to the passage of the landmark 1990 Americans with Disabilities Act.

Through tumultuous times and for the ensuing four decades of legal practice in Delaware County, PA and elsewhere, Dennis E. Haggerty, Esq., with dignity, wisdom, and legal scholarship, discharged faithfully the roles of Advocate, Ombudsman, Special Master, Guardian ad Litem and Board Member for Delaware County public and private care providers like Elwyn and Don Guanella, as well as innumerable individual clients; and it is in recognition of his faithful and selfless service that we the Board of Judges find him worthy of the highest praise and commendation, as there are few amongst our legal profession in Delaware County and beyond who have served the cause of Civil and Human Rights with as much integrity and humility as Dennis E. Haggerty, Esq. in his distinguished career.