

Burgdorf's limitations fade when he reaches to help

By Linda Negro
Courier staff writer

Robert Burgdorf Jr.'s physical reach is limited, but the Evansville native's legal footwork has embraced millions of disabled people who would otherwise have suffered from discrimination on the job or in public facilities.

Polio left Burgdorf's right shoulder disfigured and his upper arm useless when he was a year old. When he was 11, a surgeon at Welborn Baptist Hospital attached his upper arm bone to his Robert Burgdorf Jr.'s physical reach is limited, but the Evansville native's legal footwork has embraced millions of disabled people who would otherwise have suffered from discrimination on the job or in public facilities shoulder, giving him use of the arm.

"But I cannot reach behind me or over my head, but it gave me range of motion," he said. "I can play basketball, but still it does not look the same, or work the same or move the same."

Before graduating from since-closed Rex Mundi High School in 1965, Burgdorf had numerous odd jobs, including delivering Grit magazine and working in the U.S. Post Office.

Nearly 20 years ago, Burgdorf joined the Electrician's Union, and because of his disability, was rejected on his first assignment. The union had sent him to the job, but the contractor refused to accept him.

"Clearly it was not a case that I wasn't able to do the job," said Burgdorf, who worked with the union two summers while he was attending college. "He presumed because I looked different that I couldn't do the job."

That humiliation motivated Burgdorf to seek to protect the rights of the disabled at a time when the issue was just beginning to gain national attention. He is now author of pending legislation that prohibits discrimination of the disabled.

While a student at Notre Dame Law School, he worked as a volunteer for a local association of retarded citizens. The group received federal funding for a pilot program establishing a "National Center for Law and the

Handicapped." Burgdorf became the center's staff attorney when he graduated.

He was part of a small group of lawyers traveling around the country to file civil rights lawsuits on behalf of the disabled.

Burgdorf said he represented mentally retarded children trying to get into public schools, people in wheelchairs wanting access to buildings, and a blind teacher who was refused a job in a public school. He also filed suits against large institutions charged with mistreating the disabled.

Although many of the cases he handled set precedents, he couldn't take a number of cases because the law wasn't in place.

"There was no recourse for some of the people who came to me for help," he said. "They felt they had been wronged, but I had to tell them, 'There was no law that prohibits what was done to you.'"

"There is another group of people that doesn't even bother to check with an attorney," Burgdorf said. "They've already heard they don't have rights in those circumstances."

After several years of handling those cases Burgdorf took a job as co-director of the Developmentally Disabilities Law Project at the University of Maryland Law School. While there he wrote the first law school case book compiling court decisions on the rights of disabled people.

"I was lucky," he said. "Not much was happening in the field when I started and then it mushroomed and I became an instant expert."

After the Maryland project, Burgdorf was hired by the U.S. Commission on Civil Rights, which was charged by Congress with studying discrimination of the disabled as well as discrimination based on race, sex, religion and national origin.

He co-authored the commission's study of discrimination of the disabled, "Accommodating the Spectrum of Individual Abilities."

Burgdorf has been with the National Council on the Handicapped since 1985 and wrote its report, "Toward Independence," and transformed that into language for legislation for disabled civil rights.

His parents, Patricia and Robert Burgdorf Sr., still live in Evansville.