

Big Supreme Court Win for Girl and Her Service Dog



By *Jamie Wells, M.D.* — February 26, 2017



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In a unanimous Supreme Court victory, a young girl with cerebral palsy, Ehlana Fry, and her service dog, Wonder, succeeded in making the ability to pursue justice against discrimination for those managing disabilities that much easier.

Without making any political statements, let's first review the legal decisions for a frame of reference so that we can have a medical discussion about the importance of service animals and their well-documented therapeutic benefits.

In 2009, Fry's elementary school in Napoleon, Michigan refused to allow her to bring Wonder to class. Their position was she had access to a one-on-one human aide. Ultimately, the family after opting to home-school moved to another service dog-friendly district, but filed suit in federal court in 2012. The American Disabilities Act (ADA) permits service dogs in public places and it was their contention Fry was discriminated against by the school's violation of this law.

Her parents sued the school district over the emotional harm inflicted claiming Ehlana's ability to be independent was threatened. Apparently, Wonder was able to provide her autonomy in the most intimate of settings (e.g. restroom). For obvious reasons, a human aide would not be an equitable exchange given he/she could impose upon this freedom and right to privacy.

This 8-0 decision reversed a 2015 verdict by Cincinnati, Ohio's 6th U.S. Circuit Court of Appeals that dismissed the lawsuit stating that the family first had to engage in all of the required hearings before local and state officials before they could formally sue. The appeals court had invoked the Individuals with Disabilities Act (IDEA) that governs special education.

In a [statement reported by Rheuter's](#) [2], Stacy Fry—Ehlana's mother—said, "I saw with my own eyes how Wonder helped my daughter grow more self-reliant and confident. We are thankful that

the Supreme Court has clarified that schools cannot treat children with disabilities differently or stand in the way of their desired independence.”

Basically, the Supreme Court conclusion was not about the choice made by the school district to prohibit Wonder, but whether the Frys could bypass the administrative hurdles and go directly to court to sue for what they believe was an action that violated their daughter's legal rights. This is a legal decision.

Now, we can pivot and focus on the health aspects of these support animals. It is often a misperception what service and therapy animals do. To clarify, a service animal accompanies an individual with a medical condition at all times and is permitted in all locations. They are allowed in restaurants and airplanes, for example. A therapy animal is certified to provide emotional support and therapeutic relief while on formally arranged visits to patients in a hospital, rehabilitation facilities and so forth. Therapy dogs, for example, are not afforded the same rights of access service dogs are given that the animal is not providing a benefit to its owner but rather to another individual.

In this case, Wonder is a service dog because a condition like cerebral palsy prompts the person to endure a diverse degree of individual-dependent impairments to mobility. This diagnosis impacts the neurologic system, in particular. [It was reported](#) [2] that he was integral to promoting Ehlena's balance, completion of tasks like taking a coat on and off, item retrieval to name a few. These animals are trained to seek help when their human partner is in trouble and often serve as a physical extension. In so doing, they afford their human certain freedoms they couldn't otherwise enjoy, allow for an improved sense of autonomy thereby contributing significantly to building their self-esteem, calming anxiety and assuaging fears.

The health benefits of animals are extensive and well-documented. For example, they serve to reduce heart rate and blood pressure. These cardiovascular advantages especially promote overall well-being by managing stress. The mental health gains are known and considerable. To review further, read: [Hey Prescription Nation! Pets Now 'Main' Script For Mental Health Issues](#) [3] and [Are You Your Dog? The Science](#) [4].

For anyone, let alone a child navigating the challenging stages of their development, these animals permit those with seizure disorders to veterans suffering from PTSD (aka post-traumatic stress disorder) of all ages and life stages and disease states to be an active participant in their communities and the world. For some, the independence garnered affords them unlimited entry to the world, self-reliance and a dignity many of us often take for granted.

The ability to use the bathroom and perform basic daily functions with dignity and privacy is a luxury many who suffer chronic conditions cannot experience. Who among us thinks twice about the ease with which most of us walk down or cross the street? For an individual with a disability, these acts especially represent freedom. If a service animal can solve these and other issues, then the emotional and physical rewards reaped far outweigh any drawbacks.

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