Winkelman v. Parma City School District (2007)

This case was brought to the Parma City School District by the parents of a child with autism. They disagreed with placement of their son Jacob in public education. The ARD committee had already decided that Jacob will be placed in a public school regardless the opposition of his parents. The parents exercised their right to a due process hearing and file a complaint. The process hearing officer affirmed Jacob’s placement. The parent filed an appeal to the district court which held for the school. The parents proceeded to file an appeal with the U.S. Court of Appeals for the Sixth Circuit. The Sixth Circuit dismissed the cased because the parents did not have a lawyer. Eventually, the case was appealed in the Supreme Court of the United States where the Court reversed the Sixth Court decision and ruled that the parents have a right to prosecute IDEA claims on their own behalf.

This case is important because it brought up the question:

In a lawsuit under the Individuals with Disabilities Education Act (IDEA), may a non-lawyer parent of a disabled child argue in federal court either on his own behalf ("pro se") or on behalf of his child?

This is an important issue on behalf of non-lawyer parents that may want to represent their child in federal court. In this case, the parent felt that they had the obligation to supplement what they considered ‘inappropriate education’ with additional services or in their case with private school. Prior to this case, parents did not have the right to represent their children in Federal court. However, the reality is that many parents with children with disabilities cannot afford to pay for legal representation.

[Winkelman v. Parma City School District (No. 05-983) (2007)](http://www.wrightslaw.com/law/caselaw/ussupct.winkelman.parma.htm)