

# The ADA Project

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LEGISLATION CLINIC

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## Case Spotlight: Definition of Disability

Case Name: [Jacobs v. North Carolina Administrative Office of the Courts](#)  
Citation: *Jacobs v. N.C. Admin. Office of the Courts*, 780 F.3d 562 (4th Cir. 2015).  
Date of Decision: Mar. 12, 2015  
Court: United States Court of Appeals, Fourth Circuit  
Judges: Hon. Barbara Keenan, Hon. Pamela Harris, & Hon. Henry Floyd (author)  
Alleged Disability: Social Anxiety Disorder  
Prong(s) at Issue: Actual Disability

### Background:

On January 7, 2009, Christina Lynn Jacobs (“Jacobs”) was hired by the North Carolina Administrative Office of the Courts (“AOC”) in New Hanover County as an office assistant in the Criminal Division. *Jacobs*, 780 F.3d at 566. Her job entailed scanning files onto microfilm and filing documents. About a month after being hired, Jacobs was promoted to a deputy clerk position. *Id.* One task assigned to this position was interacting with customers at the courthouse entrance. *Id.* Shortly after starting her new job, Jacobs began experiencing extreme stress, nervousness, and panic attacks. *Id.* Jacobs had a history of social anxiety disorder dating back to a diagnosis when she was 18-years-old, and she attributed these symptoms to this disorder. *Id.* at 565. Consequently, Jacobs requested a job-reassignment back to a position involving filing and record-keeping tasks as an accommodation. *Id.* at 567. Three weeks after sending her supervisor an email disclosing her disability and requesting accommodations, Jacobs was fired. *Id.*

After her termination, Jacobs filed a charge with the Equal Employment Opportunity Commission (“EEOC”) alleging discrimination under Title I of the Americans with Disabilities Act (“ADA”). After the EEOC referred her case to the Department of Justice (“DOJ”), she received a Right to Sue letter and, subsequently, filed this lawsuit in federal court. *Id.*

The AOC filed a Motion for Summary Judgment. The district court granted it, finding that Jacobs did not have a disability as a matter of law and that she had failed to establish a prima facie case of any ADA or Rehabilitation Act violation. *Id.* at 568.

On appeal, the National Disability Rights Network, National Alliance on Mental Illness North Carolina, the Bazelon Center for Mental Health Law, Mental Health America, and National Alliance on Mental Illness filed an [amicus brief](#) in support of Jacobs. They argued that the ADAAA required that the definition of disability be construed in favor of broad coverage to the maximum extent permitted by the terms the ADAAA and 29 C.F.R. § 1630.1(c)(4). According to *amici*, the district court’s opinion was inconsistent with that standard.

### **Holding:**

In reversing the district court’s decision, the Fourth Circuit held that a reasonable jury could find that an employee with social phobia and anxiety disorder has a disability under the ADA, as amended by the ADAAA.

### **Analysis Regarding “Actual Disability” (Prong 1):**

The Circuit Court correctly found that Jacobs’s mental impairments substantially limited her major life activities because “interacting with others,” while not specifically mentioned in the ADAAA, is a major life activity. *Id.* at 573.

The ADA defines “disability” as “a physical or mental impairment that substantially limits one or more major life activities.” 42 U.S.C. § 12102(1)(A). It also includes some examples of major life activities, including “speaking, breathing, learning, reading, concentrating, thinking, communicating, and working.” 42 U.S.C. § 12102(2)(A). The EEOC identifies additional examples of major life activities, including “interacting with others.” 29 C.F.R. § 1630.2(i)(1)(i). The AOC challenged this interpretation of the ADA by claiming that Jacobs did not have a disability as a matter of law.

The Circuit Court applied the two-step *Chevron* analysis. First, it looked at whether Congress had “directly spoken” to the exact question of whether interacting with others is a major life activity. The court found that Congress “deliberately left a gap for the [EEOC] to fill.” By its express language, the statute’s list of major life activities was not exhaustive. 42 U.S.C. § 12102(2)(A) (“[M]ajor life activities include, *but are not limited to* . . .” (emphasis added)). *Jacobs*, 780 F.3d at 573.

Second, the Circuit Court had to determine whether the EEOC’s regulation was reasonable. In finding that it was, the court noted that the ADAAA’s stated goal was to expand the scope of protection available under the ADA as broadly as the text permits. See 42 U.S.C. § 12101(b)(1), (5). The court also reasoned that “few activities are more central to the human condition than interacting with others[;]” thus, since “bending” and “lifting” are major life activities under 42 U.S.C. § 12102(2)(A), “it is certainly reasonable for the EEOC to conclude that interacting with others fell into the same category.” *Jacobs*, 780 F.3d at 573. According to the decision, doing so “advances the [ADA’s] broad remedial purpose.” *Id.*

The employer further argued that Jacobs failed to demonstrate a substantial limitation in interacting with others because she interacted with the public daily and socialized with co-workers outside of work. In response, the court stated that this argument misunderstood the meaning of “substantially limits” and the nature of a social anxiety disorder. After reviewing, the Diagnostic and Statistical Manual of Mental Disorders (DSM-IV), the Circuit Court acknowledged that a person suffering from social anxiety disorder either “avoid[s]” the feared social or performance situations, or “endure[s] them with intense anxiety or distress.” *Id.* at 565. Also, the Circuit Court said that the fact that Jacobs might be adaptable to some social situations did not mean that she did not have a social anxiety disorder; she only had to show that she endured *certain* situations with intense anxiety, which she demonstrated through her own testimony as well as the testimony of her doctor. *Id.* at 574.

Accordingly, the Circuit Court correctly reasoned that because Jacobs’ social anxiety disorder substantially limited her ability to interact with others, it qualified as an “actual” disability under the ADA. *Id.* at 574.