



**Work, Ambition, and Parkinson's
with Amy Montemarano and the Honorable Ross Andrews**

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Davis Phinney Foundation

Amy Montemarano (Davis Phinney Foundation Ambassador, YOPD Council Leader):
Hi everybody. My name is Amy Montemarano, and I am a Davis Phinney Ambassador, and also a lawyer in Philadelphia, Pennsylvania. And I have the honor and the privilege of interviewing, today, the honorable Ross Andrews, who is a judge on the Syracuse city court bench, and Judge Andrews and I decided beforehand that I could call him Ross, which I will do, but it feels weird. And we are talking to Ross today about working with Parkinson's and also some legal issues about working with Parkinson's. And I am going to ask Ross some questions about his own story and also about some advice that he might give to others about working with Parkinson's. So, I'm just going to start with a question to you, Ross, about your diagnosis, if you can just tell us a little bit about your story, when you were diagnosed, how it came about and how long ago that was.

Judge Ross Andrews (Judge on the Syracuse City Court Bench):
Sure. Well, I noticed a little bit of a tremor in my right hand, and my left hand, and my right hand for a little while before I went and talked to my doctor about it which was 2007 and I was 44 years old. I was entering the prime of my legal career. You know it's a job that has a lot of learning curve to do it right. And I had lots of wonderful experiences already, but I really felt like I was in my stride. Everything was going pretty well. So, it hit me pretty hard. I was actually worried initially because I have a grandfather who died. And I asked my old doctor who sent me to a specialist of course, the neurologist, and I said, well you know, do you think it might be MS and he said, no Parkinson's. And that was quite a surprise to me. I don't come from a family with Parkinson's disease. In fact, my 23andMe profile says I have a lower-than-average chance of getting Parkinson's disease. Yay. Didn't work out that way.

Amy Montemarano:
Same here.

Ross Andrews:
Oh really?

Amy Montemarano:
Yeah.

Ross Andrews:

So that's pretty much where I was. And you know, I had children who were 16 and 13 when I was diagnosed. I was initially diagnosed dopamine agonists which I know that

was, I think, the standard of care then, now I'm not sure, but it really adversely affected me as it turned out. It took a while to figure it out because I became somewhat depressed and anxious, and I'm really not a depressed, and anxious person, but I was very fatigued. But I thought this is not abnormal, I've just been diagnosed with a progressive neurological disease. So, I probably should be depressed and anxious. But actually, as a result of skipping a dose, once, I just in the afternoon felt so much less fatigued than I had in the past. I actually did what nobody should do ever, I stopped taking them rather precipitously and I felt a lot better and I still had the tremor in my hand, which was not really affected by the medicine, but I felt like I was stepping out from under a cloud and it was kind of the first time, I felt like I had more of an upward angle, which I've had barely, I don't know if this is common either, but my experience has been a little more of a roller coaster up and down than a descent.

When you hear about Parkinson's, certainly from what I knew, I thought it was going to be a clear descent, but it's turned out not to be that way at all.

Amy Montemarano:

I guess we should stop right here and just make a disclaimer that we're not medical professionals, so don't take any of our advice about what to do about pharmaceuticals.

Ross Andrews:

You can cut that out entirely if you want to. That was my experience. I read afterwards that it could have provoked very serious side effects and it's not the way to go about it. You know, if, if I had to do it again, I wouldn't, but in the moment, I was not thinking that clearly just feeling better, so I stopped.

Amy Montemarano:

So, you were diagnosed, you were 44, you were in the middle of a really promising and highly challenging and active law practice. And you had two middle-school aged kids or teenagers at home. And you decided to continue working full time. And not only that, but you decided to run for judge, which in New York is a process by which you have to get elected, right? So, you have to campaign.

Ross Andrews:

That's right yes.

Amy Montemarano:

And I assume that campaigning involves a lot of energy.

Ross Andrews:

It does. I knocked on thousands of doors and spoke to many people and went to many neighborhood events and parades. And so, it was quite a process, but I had done a fair amount of political work in my life, working for other candidates, so, I had a pretty good idea of what I was getting into. But that was years after my diagnosis also, so, I had some time to get used to it. My initial reaction was actually to pull back from some of those outside political activities to try and focus my life on work a little more because,

you know, I really, I didn't feel like I was working. I had a tremor that grew increasingly bad in my right hand. So, I spent lots of time sitting on that hand to just keep it under control, and to keep from being a distraction, but I didn't hide it and if people asked about it, I told them what I had, and if they didn't, they didn't, you know. It's funny how people who have Parkinson's or have people with Parkinson's in their lives, they know, you know, they just, the preceptive you know, they just say, how long have you had Parkinson's?

Amy Montemarano:
So how did your law partners take it?

Ross Andrews:
Well, in fact, I was told initially by one of the first doctors that I saw that I should seriously take a step back and consider how to approach them, whether to approach them about it. I'm sure that was born by experience, by the doctor of someone who had a bad experience, but you know, what, he didn't understand was my partner was also probably my best friend and just someone who I trusted implicitly and had absolute faith in, and so I asked my sister who's a physician, she was the second person I told. In fact, I called my sister walking back to the office, and told her, and she took it very well. To this day, even though we don't work together she is very supportive and she eventually, when I pulled out of the funk from the dopamine agonists, got me on a bicycle, and I'm still on a stationary bike quite regularly to this day. So, I do wonder if part of my slower descent, and part of my occasional upward trends, it had something to do with the fact that she got me exercising right away, which we know is exercise is medicine, as you'll see frequently on Parkinson's websites, you know it really is true. It's the best medicine.

Amy Montemarano:
So, you continued to be a labor and employment lawyer for how many years before you decided to run for judge?

Ross Andrews:
I would say a seven or eight.

Amy Montemarano:
Seven or eight. Then you decided, hey, let me undertake this enormously exhausting experience of running for elected office eight years into my Parkinson's diagnosis. I'm really intrigued and curious about that decision because so many people even if they do continue working eight years or 10 years, they contract, for obvious reasons and you expanded. And I really want to know what was that mindset for you? What made you decide to do that?

Ross Andrews:
Well, I had worked successfully for some years, and again, there were ups and downs and during that period of time among other things, I had my first DBS surgery in 2012. We truly, it was like a miracle. It again was one of the upward ascents. I had some

minor issues with my legs and my feet, but my major issue was the tremor in my right hand at that point in time, and it was gone. I mean after the second or third programming episode. It was like, unbelievable. I was cured. I felt like, you know, and they told me it wouldn't last forever and even tremor dominant people will develop other symptoms and that eventually my left hand would go too, and I'd have to do the same thing, but I just felt so positive about everything. I just didn't feel limited at that point, so I did just go ahead and run. And again, I walked a lot. It was actually great exercise. I was kept off the bike some, but it was good exercise. I did have a little bit of a problem with stairs, and that was a little bit of an issue, but if I did fall, I just pulled myself right up and otherwise I was just very careful, but it was wonderful getting out and talking to people, some of whom again, on the campaign trail, would recognize the slowly developing tremor in my left hand, and comment on it, but everybody who I talked to about it, you know, there weren't a lot of full blown discussions about it, but there were a couple and they were all very supportive, and actually when I made the decision to run, it was suggested to me by a dear friend of mine named Pam Hunter, who, well, actually we were talking about, she noted that there was a new seed opening up, a new seed creative, and when I raised the possibility of running for it, she was very supportive. And so, it's another case of having a good, strong supportive friend who encouraged me to do it. So...

Amy Montemarano:
And then you won.

Ross Andrews:
And then I won, lo and behold. Full disclosure, the election itself was not that much of a contest, because I had no opponent, but I did have a very well-known incompetent opponent in the primary and that was really where the election was.

Amy Montemarano:
Yeah, yeah, yeah. It's hard, in this day and age, anything, any election, any campaign is taxing and now you've been on the bench for seven years. Is that right?

Ross Andrews:
Six plus. Yeah. Yeah.

Amy Montemarano:
And you know, part of your job, a large part of your job has to do with speaking all day.

Ross Andrews:
It does. And after my second DBS surgery, which actually happened in my first year as a judge, I did start to, well, I had some issues with softening of voice already, even before the surgery, but afterwards, I started to experience some tightness in my throat, which I have a little bit of right now. And so, there's some tightness up here, which interfered both with volume and diction. And it was not an easy thing to deal with. That

was probably the toughest thing that I've faced so far in my career because, you know, a boxer leads with his fists, I also highly recommend rock steady boxing, which is a great form of exercise, which I've done, but a boxer leads with his fists, a judge leads with his voice and there's nowhere around that road. And there are some things that, you know, people have to hear from the judge.

So, at one point it was concerning enough that I went and spoke to my supervising judge, and to my administrative judge. And they were both very supportive, said they had not heard any complaints at all. You know, we've heard good things, so go keep up the good work. So, it didn't completely alleviate my concern, it did to a large extent and stop from thinking about whether my disability insurance, which we'll talk about in a little bit, but it was somewhat traumatic and even now it's of course, frustrating, although very humbling, so it's not the worst thing in the world. I'm sure you've been before many judges, who could probably use some humbling. It wasn't the worst thing in the world to have to go through, you know people recognize it in court too, and people wished me the best with my condition, even the defendants. So, you know, it's been an experience.

Amy Montemarano:
What was it like to feel the shift in your identity?

Ross Andrews:
Created by my voice?

Amy Montemarano:
Created by your diagnosis.

Ross Andrews:
Created by my diagnosis, yeah...

Amy Montemarano:
I think that's a big issue for many people. You know, they are active professionals, often at the top of their game at work. And then all of a sudden, they become the weak one in the crowd and it's really hard. It's really hard to change your role that way, so suddenly.

Ross Andrews:
And it was really hard, although you know in retrospect my experience with the medication it ended up empowering me in that way when it finished, because when I felt like I had my life back when the depression went away, when anxiety went away and fatigue went away, it was really like a new morning for me, and it helped me to see things positively. And you know, my partner had this saying, that you shouldn't rehearse misery. If you're tired, you're not feeling bad or you feel able to do something, do it. Don't worry about the future because it may not be as bad as you think it's going to be, and if you worry about it first then you have to live it twice, you know, so

Amy Montemarano:



So, don't rehearse misery. I love that phrase. That's going to be put up on my little wall here. Yeah. So how do you how do you manage your energy during the day? You have a really challenging job.

Ross Andrews:

You can see over my shoulder, back here, a couch where I try to get at least a 15- or 20-minute nap every day. It is a very intense job being a city court judge. COVID has changed everything, of course, we're doing everything remotely, but typically it's a couple, two or three or so hours on the bench in the morning and a similar period in the afternoon. It's one case after another, after another, after another, it's been likened to drinking from a fire hose. That's the best description I've ever heard. So, it is a very intense job. To some extent, the intensity of it keeps you on your toes. But I do find, I've warned my staff that if I haven't been able to get my nap in, then I'm going to be grumpy in the afternoon.

Amy Montemarano:

I have the same thing. I got a couch. I take two naps a day. And that helps a lot.

Ross Andrews:

Two a day!

Amy Montemarano:

Yep, like a toddler. So, can we shift over now to some advice that you might want to give to others who are thinking about and worried about their continued ability to work after a diagnosis? Because you were a labor and employment lawyer. So, I know that you have firsthand experience along with just, you know, the kind of the kind of work and legal training that you've, that you've mastered. So, what advice would you give to somebody who's diagnosed and wants to continue to work?

Ross Andrews:

Here's the thing, just like everyone's says, what's the saying, if you see one person with Parkinson's, you've seen one person with Parkinson's, that's going to be true of the legal situations too, both because the illness presents different ways. It has different effects on different people and because different people's jobs have different requirements, but if you're determined to keep working or if you're determined for that matter to file for disability, or if you're not sure what you need to do, so really it's a full universe of situations, my advice is to invest a little money in speaking to a knowledgeable disability rights attorney.

Amy Montemarano:

Disability rights attorney, can you sort of like explain a little bit more what that means?

Ross Andrews:

I may be the only one that's ever applied that term but that's what I've come to think of myself as the labor employment, disability rights person, I did do some social security disability and some long-term disability work before my diagnosis, but afterwards I see developing interest in doing more of it and it became a bigger part of my practice. And you know, it becomes a bigger part of your practice. You have some success and it grows a little bit, but preferably it would be someone who has both experience with staying on the job type disability rights, Americans With Disability Act type knowledge and disability seeking knowledge, like social security disability. And hopefully you can find one person, also the long-term disability claims if you have insurance. But you know, so again, everyone's situation's going to be a little different, but if someone really focuses in their area to helping you determine where you should be working when you should be requesting accommodations, when you should be leaving work and what the different approaches are, because it could be a very thin line.

For example, for a disability claim or social security disability or disability insurance you'd need to have evidence and the record helps a lot. Let's say you have a development of evidence in the medical record by your doctor of limitations that you experience and different problems that you have, so that when you get there that, you know, doctors, I don't think it's in their collective DNA to say you're doing poorly. You know, they're encouraging. They went into the profession to help people. They tend to be a little more bright in their medical records. I've reviewed thousands of pages of medical records. And sometimes you get it where, so it says, they're doing great. They're doing great. They're doing great. Then they file for disability, and it's oh they're terrible. Then obviously it doesn't look as good as if you build up a little bit of a history showing, you know, development of limitations. It's a little more convincing to an administrative judge or whoever's making determination of disability.

Now, on the other hand, if you want to stay working then you don't want to provide too much evidence for, you know, you never want to end up in litigation. You know, talking to a good lawyer is always about avoiding litigation. But if you do end up in litigation, you have a history of they're doing terrible, they have all these limitations, you've built a record for your disability that can actually weigh against you in an effort to stay on the job. Now, of course, medical records are confidential. You have to be involved in actual litigation. Generally, if you're in Florida, you have a right to them. So, you know, it's not like it's an open book unless you open it, but it is something to be concerned about and again something that really requires the guidance of a lawyer. And a good place to find a social security lawyer, there's an organization called Baskar or the national organization of social security claims and representatives, I believe. There's also the National Employment Lawyers Association in LA.

Amy Montemarano:

So just pretend I'm someone who was diagnosed a couple of years ago. And now I'm thinking about hiring a lawyer to advise me about what to do next. But I've never worked with lawyers before. Definitely not disability lawyers. And I'm not really in a big city. I'm kind of in a small town where there's not a lot of legal presence. What would you recommend that I do to try to find a lawyer?



Ross Andrews:

Well, the first thing I'd say is, and one thing the pandemic's taught us is you don't have to be in the same place as our advisors, colleagues or coworkers even.

Amy Montemarano:

You have to be in the same state though, right?

Ross Andrews:

You generally have to be in the same state for social security law. Not necessarily for the national social security firms. And there are slight differences based on decisions that are made in courts. It might be a little different, but generally it's going to be pretty much the same. For disability insurance. Again, it varies on whether it's employer provided or not. If you have employer provided insurance, then your claim is going to be judged under a law called the ERUSA, the employment retirement income security act.

Amy Montemarano:

Super simple!

Ross Andrews:

Super simple. ERUSA is how we refer to it. And ERUSA will vary a little bit by jurisdictions, but it's kind of hard to figure out what those variances are. So, you know, that's my first piece of advice is don't be shy to go to the bigger town down the road.

Again, it's helpful to be in the same state, but it's not an absolute must, if you just don't have any knowledgeable legal people there. There's probably someone who does it for your state anyway, your neighboring state, who's accustomed to people showing up and saying, well, I'm from next door, but I couldn't find anyone there. So, they probably would have heard about if they really focus on that as a practice, but you know, again make use of the technology, and do your best to find someone who's experienced because you know, general practitioners vary of course, some are very talented, and can pick up anything in a hurry, but there's never going to be the same type of knowledgeable experience, even as an out of state disability rights lawyer.

Amy Montemarano:

So, there's not the equivalent of a Yelp page for lawyers so that you can see other people's reviews? I mean, there are some, but they're not as helpful and useful as trying to find a restaurant, right? How can people who are shopping around for a lawyer know that who they're hiring is somebody who's good, who's experienced, who's honest, and who's going to take care of their needs? How do you figure that out?

Ross Andrews:

Well, there is something called Martindale Hubbell, which I'm sure you're familiar with, which rates lawyers according to other lawyers' opinions about them. And I think even to get a B rating there has to be a finding that you're at least...



Amy Montemarano:
Competent? Minimal Competence.

Ross Andrews:
And integrity, yeah. Which is all you can expect from our profession anyway, right?

Amy Montemarano:
No, no. I expect way more than minimal competence.

Ross Andrews:
No actually, the people who appear before me, I never fail to be amazed with the level of competence and integrity. So, I think there are a lot more good lawyers out there, well-meaning lawyers than there are anything else. Our profession takes a rap because we get involved in a lot of situations that are bad moments in many people's lives. And we often get involved with conflict and so I understand the feelings many get from our profession, but I really don't think they're generally accurate.

Amy Montemarano:
That's great to hear from a sitting judge. And you know what I hear you talking about is a lot of optimism in your life. Would you say that that's accurate?

Ross Andrews:
It's true. And I think that probably comes from my parents and you know, they say it makes a difference medically, you know, your attitude is one of the best predictors of how any malady will go, you know, how any sickness or illness will develop and progress. A positive perspective is actually clinically helpful, I think the studies show. So, yeah.

Amy Montemarano:
So, along with that optimism, I also hear a strong support from your family and your friends and your colleagues.

Ross Andrews:
Definitely, definitely. Especially my children, who learned of my illness eventually of course, and actually, I regret, I hid it from them for a while, and I regret having done that, to be truthful but that's a whole other story.

Amy Montemarano:
Why?

Ross Andrews:
Because I worry that they'll not be truthful with me when they have things going on, it's just not a good example. And I think they could have dealt with it better than I gave him credit for. At the time, I worried about their ages and...

Amy Montemarano:

So, it has to do with trust?

Ross Andrews:

It has to do with trust, yeah. And really, given the opportunity to do that again, I would have been truthful immediately. It's not like I actively lied, because you know it's not like it really came up, but I would have made a point to sit them down and talk to them about it. Part of why I didn't do it, is because I really didn't know what to expect myself, you know, and like I was saying, my imagination of Parkinson's was a downward trend, and it was a matter of whether I would get there in 5 years, or 10 years, or what. But you know, here I am, a lot more than that later, I guess, 14 years later, and I still feel good. I still feel productive. And here I'm still looking for new challenges.

Amy Montemarano:

Which is a great segue into my next question, which is, what are you looking toward in your future? Wait, let me guess. It's not sitting in a hammock and reading a book?

Ross Andrews:

I enjoy sitting in a hammock and reading a book, I just don't want to do that 8 hours a day. Although I would like the opportunity to exercise more without the time pressure. That'll come someday hopefully. Well, you know I've thought about seeking other opportunities as a judge, you know, I trained as a lawyer who was mostly in federal court or so there's some availability in my part of the world, so you never know. I've seriously given thought to applying for that type of position potentially.

Amy Montemarano:

For a federal judge?

Ross Andrews:

Yeah.

Amy Montemarano:

For the eastern district?

Ross Andrews:

The northern district.

Amy Montemarano:

The northern district of New York, that would be awesome.

Ross Andrews:

Well, it'd be quite a challenge, but I think I'm up for it frankly. So, we'll see.

Amy Montemarano:

That's great. Anything else that you want to tell folks out there when they are feeling a bit uncertain, that's an understatement, you know, about their continued ability to work?



Ross Andrews:

Well, here's what I would say speak to people you trust, you know, and ask them because for one thing, a lot of situations are not going to be as bad as you think it is, you know, we tend to be a bit self-critical and you worry about it, and it's bad enough having an affliction like Parkinson's. Most people talk about it like it's the end of something, and it's really not necessarily. Your performance may be better than you think it is. It may not be affecting you as much as you think it is. So, talk to people you trust and don't make assumptions that you need to go, and if you really do feel like you need to go, look for their advice. It's worth the investment, even though it will cost you a little something up front, for the most part, with most lawyers, it's definitely worth it to have a real good idea of how your particular situation translates into a disability application.

Amy Montemarano:

Well, Judge Andrews, your philosophy, your approach, and your experience are very inspirational to those of us who are still working and who still want to work or who just want to make a change in the way that we spend our workday lives. So, it's been really great hearing about your bravery and thank you for sharing it with us.

Ross Andrews:

That's never how I've ever thought of it. But I appreciate it very much. I appreciate the opportunity from you and from the Davis Phinney Foundation to share my experience for whatever it's worth.

Amy Montemarano:

Hope to see you on the federal bench sometime soon.

Ros Andrews:

Thank you very much. Pleasure talking to you, Amy.

Amy Montemarano:

You as well. Thank you.

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