

2026 Fellows Nomination Form

COMPLETE

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The Michigan State Bar Foundation is currently seeking nominations for the Class of 2026 Fellows. ONLY active Fellows are eligible to complete the nomination form. Nominations may not be submitted by persons related by blood or marriage to the nominee.

Following is the criteria for the Fellows Program:


- * Attorneys who have demonstrated professional excellence.
- * Attorneys who serve their community.
- * Attorneys who practice law for a minimum of 10 years.
- * Attorneys who are in good standing with the State Bar of Michigan.

Please answer each question as thoroughly as possible.

CREATED

 PUBLIC
May 15th 2026, 6:05:47 pm

IP ADDRESS

 98.243.32.162

* Nominee's Name:

Nicholas A. Gable

* Nominee's P Number (please enter number only):

79069

* Nominee's Email Address:

ngable@drmich.org

Nominee's Address:

Disability Rights Michigan
4095 Legacy Parkway
Lansing
MI
48911
United States

* Total Years Admitted to Practice Law (a minimum of 10 years required). Also, include in your total the years practiced out of state.

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Do you have a vitae, resume or bio for your Nominee? If not, you will be asked to answer additional questions below.

Yes

Upload Your Nominees Bio

gable_resume_may_2026.pdf

Provide below a link to your nominee's bio:

(No response)

Please list State Bar, local or affinity bar associations and other community activities:

(No response)

Please list legal teaching, publications, professional recognition and/or memberships:

(No response)

*** PROVIDE A BRIEF SUMMARY OF WHY YOU BELIEVE THIS CANDIDATE SHOULD BE CONSIDERED FOR MEMBERSHIP IN THE FELLOWS PROGRAM:**

I've worked closely with Nick for his entire legal career - first as one of his supervisors and then as co-counsel or a consultant on several cases. I have a high opinion of his legal ability and his commitment to the highest values of the profession.

*** Nominator's Name:**

Bob Gillett

*** Nominator's P Number (please enter number only):**

29119

*** Nominator's Email Address:**

gillettrf@gmail.com

Nicholas A. Gable

EXPERIENCE

Disability Rights Michigan

Director of Litigation & General Counsel

12/25 - present

Interim Director of Litigation

6/25 – 12/25

- Approve and direct all agency litigation; supervise legal department; serve as general counsel to the agency, including federal compliance and review/negotiation/drafting of grants, service contracts, and internal agency documents

Senior Attorney

12/21 – 6/25

- Class action and other impact litigation to protect and further the rights of Michiganders with disabilities; federal and state legislative and administrative advocacy

CASE EXAMPLES

- *Wiesner v. Washtenaw County Community Mental Health*, 340 Mich. App. 572 (2022)
 - In a published decision and one of the first (or the first) appellate decisions on the issue in the country, the Michigan Court of Appeals held that Medicaid managed care organizations that contract with the single state Medicaid agency have no right to appeal a beneficiary’s favorable Fair Hearing decision to a judicial court
- *Waskul et al. v. Washtenaw County Community Mental Health et al.*, 979 F.3d 426 (6th Cir. 2020)
 - *Waskul* expanded the scope of the ADA’s Integration Mandate in the Sixth Circuit in two significant ways (recognizing risk of institutionalization and isolation at home as violations of the integration mandate); established a post-*Gonzaga* private right of action under four provisions of the Medicaid Act; reaffirmed prior associational standing precedent and the standing of our organizational plaintiff; and reaffirmed various principles related to 1983 litigation, including immunity and exhaustion doctrines
 - The risk of institutionalization holding was codified by U.S. HHS in its 2024 Section 504 Final Rule at 45 C.F.R. § 84.76(d)(4).
 - Statewide settlement with major policy reforms reached December 2023 and approved by Court on December 11, 2024 (*See Waskul v. WCCMH*, 2025 WL 304534 (E.D. Mich. January 27, 2025))
- *D.D. v. MDHHS* (18-cv-11795, filed *sub nomen K.B. v. MDHHS*)
 - Class certification granted at *D.D. by B.N. v. Michigan Department of Health*, 639 F.Supp.3d 750 (E.D. Mich. 2022)
 - Settlement with MDHHS implementing sweeping reforms to Medicaid-funded intensive home and community based services for children reached December 2024. The settlement was granted final approval on August 27, 2025 (*D.D. v. MDHHS*, 2025 WL 2480571 (E.D. Mich. August 28, 2025)) and will inject hundreds of millions of dollars into Medicaid-funded intensive services for children over the next several years
- *C.B. v. Livingston County Community Mental Health*, 349 Mich. App. 253 (2023)
 - Published opinion holding that mootness of mandamus relief does not moot request for damages
 - Also held that the “good faith” damages exception in mandamus actions does not apply to entities like community mental health agencies
 - Case settled on remand for \$100,000.00.
 - A subsequent due process lawsuit (*Baksh v. Livingston County Community Mental Health, et al.*, No. 24-cv-10995-LJM-EAS (E.D. Mich. 2024)) was brought against LCCMH and various employees in their individual capacities
 - Motion for temporary restraining order and preliminary injunction resulted in stipulated permanent injunction requiring defendants to continue plaintiff’s prior level of Medicaid services pending his administrative hearing
 - Personal/municipal capacity damages claims later settled for \$25,000 (including atty fees)
- *Private Duty Nursing*: Through threatened litigation, achieved statewide reforms to MDHHS’s Private Duty Nursing policies for Medicaid recipients under the age of 21, removing caps on service hours and eight-hour family caregiver support mandate, requiring adequate denial notices to be issued, and otherwise increasing access to services
- Through threatened litigation, achieved statewide reforms to MDHHS practices related to its processing of Disabled Adult Child Medicaid eligibility, significantly increasing access to full Medicaid coverage for eligible beneficiaries statewide
- Represented as primary author the State Bar of Michigan, every legal aid organization in Michigan, the Michigan

State Planning Body, and Disability Rights Michigan in an *amicus curiae* brief filed in *Woodman v. Department of Corrections*, 511 Mich. 427 (2023).

- The Supreme Court held that the pro bono nature of an attorney's representation is never a legitimate reason to deny or reduce an attorney fee award in Michigan. The Court also clarified the Freedom of Information Act attorney fee standard

COUNCILS AND WORKGROUPS

- Appointed by Governor Whitmer to Michigan Developmental Disabilities Council
- Representative for the Sixth Circuit Court of Appeals in the Legal Strategy Work Group of the Training and Advocacy Support Center (TASC), part of the National Disability Rights Network
 - Advise TASC about the training and technical assistance needs of the P&A Network
 - Discuss legal strategies which impact the Network
 - Recommend NDRN amicus activity and review/approve proposed amicus briefs
- Member, Michigan State Planning Body
 - Association of leaders in the Michigan judiciary, State Bar, and state and regional advocacy organizations
 - Acts as a forum for planning and coordination of the state's efforts to deliver civil and criminal legal services to the poor

MANUAL CONTRIBUTIONS AND TRAININGS

- Revised standing, abstention, settlement/consent decrees (pending), and costs/interest sections of NCLEJ's (formerly the Shriver Center's) Federal Practice Manual, the leading federal court practice manual for public interest attorneys
- Selected trainings led:
 - CORT training on associational standing, September 2021 (the Committee on Regional Training is a four-state training consortium for advocates from Michigan, Indiana, Ohio, and West Virginia)
 - Federal mortgage servicing law for the National Consumer Law Center, June 2018, Indianapolis
 - Systemic eligibility systems advocacy for CORT, August 2019, Indianapolis
 - Due process and Medicaid fair hearings for Washtenaw Association for Community Advocacy
 - Annual U of M Law School Michigan landlord-tenant training for 1Ls
- Panelist – University of Michigan Law School, 25th Anniversary of *Olmstead v. L.C.*, March 18, 2024
- Presenter – National Health Law Program's June 2024 *Olmstead* litigation training
- Present to law school classes of Judge Rick, Justice Kelly, and former Chief ALJ Gigliotti

Legal Services of South Central Michigan (Ann Arbor/Ypsilanti)

2/15 – 12/21

Staff Attorney

- Named Michigan Advocacy Program's Outstanding Advocate, May 2016
- Assisted around 1,000 clients in public benefits, foreclosure, subsidized housing, and landlord-tenant matters
- Through litigation and advocacy successfully challenged Michigan's statewide policy concerning the date by which Medicaid beneficiaries must request a hearing to receive continuing health coverage pending their hearing, leading to the rewriting of the benefits-pending policy (Bridges Administrative Manual 600, p 25) and reprogramming of all relevant notices.
 - Instead of having just ten days from the date of the notice to request a hearing and receive benefits pending, beneficiaries now have until the end of the month, or, if the notice is sent within the last ten days of the month, until the end of the next month to request a hearing and receive continued Medicaid pending their hearing. This dramatically reduces the interruption of medically necessary and often life-sustaining health coverage for thousands of beneficiaries each year
- Counsel for petitioner in *Williams v. HHS*, 2020 Mich. LEXIS 2017 (Mich., Nov. 24, 2020)
 - On remand from the Michigan Supreme Court, a settlement resulted in amendment of the Home Help shared household proration policy in Michigan DHHS's Adult Services Manual 120 to clarify policy application. An extensive example was added based on the exact circumstances of Ms. Williams' case
- Led targeted advocacy and litigation efforts resulting in other statewide changes to Michigan's Medicaid Program, including:
 - rewriting MDHHS QMB denial notice (DHS 1606);
 - Michigan's gift income policy, resulting in statewide changes to Bridges Eligibility Manual (BEM) 500;
 - Michigan's homestead sale asset exclusion in BEM 400;
 - Michigan's policy concerning denial of Medicaid claims when individuals are eligible for but not enrolled in Medicare;
 - Michigan's MAGI-MA employer disability/injury payments policy;
 - Michigan's MAGI-MA alimony policy;
 - Michigan's MAGI-MA income counting policies concerning workers comp and unemployment benefits;

- Michigan’s self-employment income policies
- Michigan’s State Emergency Relief verification policies, helping prevent improper emergency homeless prevention fund denials
- Counsel for plaintiffs in *Hall et al. v. Servis One, et al.*, 2017 U.S. Dist. LEXIS 196398 (E.D. Mich 2017)
 - First decision in the 6th Circuit recognizing a loan owner’s vicarious liability for its servicer’s violations of the Real Estate Settlement Procedures Act at the motion to dismiss stage
- Counsel for plaintiffs in *Lexington Tenants Association et al. v. Concord Management, LTD et al*, 161C-1717 (14A-1 District Court, 2016)
 - Represented a tenants union in a lawsuit resulting in a successful multi-property settlement
- Through threatened litigation, student received services necessary to stay in school and subsequently attend law school. Featured in Detroit News: “I’m normalizing the way people see disability,” May 2, 2022.

EDUCATION

Indiana University Maurer School of Law

May 2014

J.D. Cum Laude, GPA: 3.65, Class Rank: Top 16%

- Full-tuition scholarship
- Highest Grade in Introduction to Income Tax (Spring, 2013)

Université Panthéon-Assas (Paris II)

Semester Abroad

- 6 courses; program entirely in French; average grade of 16/20 (A)

University of Michigan

April 2011

B.A., Highest Distinction, GPA: 3.97, Major: History

- High Honors and Stephen J. Tonsor History of Ideas Award for thesis: “Remembering Constantine’s Conversion.” Awarded research grant for first Honors Summer Fellowship Program, Summer 2010
- Designed and taught class on literary inspiration in the music of Franz Liszt to freshman honors students

LANGUAGES/MUSIC/OTHER

- French (full proficiency), Russian (high proficiency), Latin, Ancient Greek
- UMS Artist in Residence, 2014-2015 (pianist). One of 5 people selected for the program
- Performed Rachmaninoff Piano Concertos 2 and 3 with orchestra; solo and chamber concerts
- Performer and masterclass student at “Music in the Alps” festival in Austria, 2017