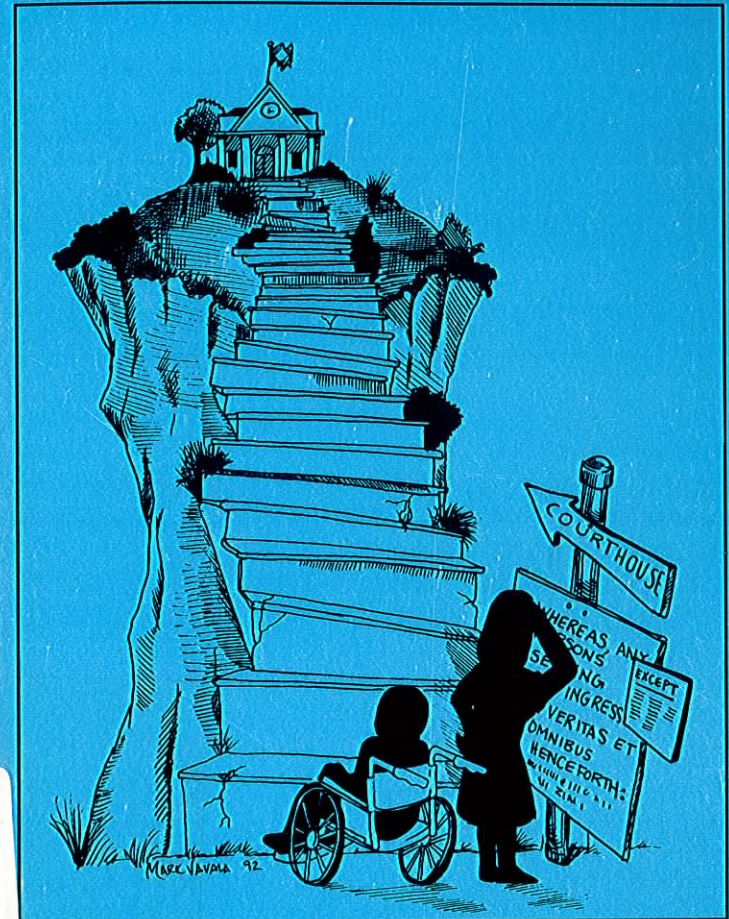


Opening the Courthouse Door



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An ADA Access Guide for State Courts

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Opening the Courthouse Door An ADA Access Guide for State Courts

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**Commission on
Mental and Physical
Disability Law**

*H. Rutherford
Turnbull, III
Chair*

The ABA established the Commission in 1973 to help individuals with mental disabilities obtain treatment in humane environments and to safeguard their basic rights. Since then, the Commission has served actively to integrate the disciplines of law and mental health and to promote the rights of persons with mental and physical disabilities. Commission members include lawyers, psychiatrists, psychologists, judges, professors, consumer representatives and mental health administrators.

The Commission's primary, and longest-running project, is the bimonthly *Mental and Physical Disability Law Reporter*, a comprehensive source of information on legal, legislative and administrative developments in the area of mental and physical disability law, including the Americans with Disabilities Act. Other current projects include a computerized legal research service and briefbank, a training manual and video on representing persons with mental illness in involuntary civil commitment hearings, life services planning and confidentiality standards for persons with AIDS.

**Commission on
Legal Problems of
the Elderly**

*John Pickering
Chair*

The mission of the Commission on Legal Problems of the Elderly is to examine law-related concerns of older persons. Since 1978 the Commission has encouraged legal services for the elderly, particularly through involvement of the private bar.

It has explored legal issues surrounding long-term care, home care, guardianship, home equity conversion, access to court, surrogate decision-making and Social Security due process. The 15-member multi-disciplinary Commission includes lawyers, judges, physicians, professors and advocates for the elderly.

State Justice Institute The State Justice Institute is a private, nonprofit corporation established by Congress to provide financial support to projects designed to improve the administration of justice in State courts.

The goals of the Institute are to:

- direct a national program of assistance to ensure that all American citizens have ready access to a fair and effective judicial system;
- foster coordination and cooperation with the Federal judiciary;
- serve as a clearinghouse and information center for the dissemination of information regarding State judicial systems; and
- encourage education for judges and support personnel of State court systems.

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Opening the Courthouse Door: An ADA Access Guide for State Courts

Table of Contents

Introduction	1
Action Guide.....	2
 Setting the Stage	 5
Changing Demographics.....	5
Access to Court.....	6
The Americans with Disabilities Act	7
Program Accessibility.....	9
 Understanding the Range of Disabilities	 11
Physical Disabilities	11
Hearing Impairments.....	12
Communication Disorders and Learning Disabilities . . .	12
Vision Impairments.....	14
Mental Illness	15
Mental Retardation	16
Alzheimer's Disease and Other Dementias.....	18
 Getting People into the Courthouse	 21
Channel Public Contact about Access.....	21
Orient the Ombudsman and Court Staff	22
Spread the Word in the Community	23
Identify Routes and Access Features	24
Use Local Maintenance Staff to Eliminate Simple Barriers	24
Create an Accessible Entrance	25
Open the Doors	25

Assisting People through the Court and Court Processes 27

- Make Forms and Instructions Clear 27
- Use Audio/Video Format for Information 28
- Provide Directions around the Courthouse 28
- Create An Accessible Path of Travel 30
- Make Other Low-Cost Physical Improvements 31
- Change Procedures 31
- Provide Services 32

Making the Courtroom Accessible 33

- Modify Courtroom Facilities 33
- Modify Public Seating Areas 34
- Enhance Technology 34
- Provide Services 36
- Encourage Practice Changes 37
- Consider Alternatives 37

Including Persons with Disabilities on the Jury 39

- Change Practices and Procedures 39
- Adapt the Jury Box 39
- Modify Jury Facilities 40
- Enhance Technology 40
- Provide Services 41

Getting Help: Community Resources 43

- Contact the Local/State Disability Network 43
- Use National Disability Resources 45
- Contact the Aging Network 46
- Identify Help Needed 47
- Create an Accessibility Task Force 47
- Create a System for Resolving Court Access Disputes 49

Paying for Accessibility: Funding Resources 51

- Develop a Funding Strategy 51
- Advocate for Funding 52
- Identify Additional Sources of Support 53
- Share with Other Public Entities 54
- Explore In-Kind and Volunteer Resources 55

Organizational Resources 59

References 73

Index to Action Steps by Kind of Impairment 75

Reader Survey 77

Introduction

In the 1990's, state courts increasingly are facing a new challenge — more persons with disabilities using the judicial system, and an unequivocal societal mandate to meet their needs.

To provide “equal access to justice,” state courts must ensure:

- accessibility for litigants, jurors, victims, witnesses, attorneys, social services personnel, employees, volunteers and members of the public with physical, sensory, communications or cognitive impairments; and
- access to each court program — provision of public information, pretrial services, jury service, courtroom hearings and trials, and access throughout the courthouse facility.

Courts must provide access in a way that integrates individuals with disabilities as much as possible into the mainstream of court activities.

This formidable charge to courts derives from the groundbreaking Americans with Disabilities Act of 1990 (ADA). The Act broadly prohibits discrimination against persons with disabilities in employment, public facilities and services, and in other areas. The Act envisions a society that is more inclusive, more diverse, more accommodating, more equitable.

Courts, as symbols of justice and equality, must take the lead in making the ADA work. This Guide suggests concrete steps and ready resources to make that process both manageable and creative. Further, the Guide looks beyond the requirements of the ADA toward a judicial system more accessible for all. The changes contained in the Guide's action steps will make the courthouse and court processes more understandable and user-friendly for all.

Action Guide

A litigant in a wheelchair cannot use public transportation. With difficulty, he manages to get to the court for a hearing. The county courthouse is an old building with a Greek portico and columns set close together, a lengthy set of steps and no elevator. He cannot get into the building or up to the second-floor courtroom.

An elderly victim of crime with mild dementia arrives at the courthouse. Once there, she is confused and frightened by the difficult directions provided at the information booth. She wanders around, bewildered.

An elderly deaf woman comes to the clerk's office. The court employee cannot understand why she is there, only understanding the words "landlord" and "money back." She needs to file a pro se small claims action for return of her security deposit.

This access Guide will help courts respond to scenarios like these. It presents a menu of straightforward access ideas for courts to choose. The ideas are presented as "action steps" for each broad element of the court process, including:

- getting people into the courthouse;
- assisting people through the court and court processes;
- ensuring full participation in court processes;
- making courtroom hearings and trials accessible; and
- including people with disabilities in juries.

For example, to address the first scenario above, court staff could turn to the action steps listed under "create an accessible entrance" and "create an accessible path of travel" on pp. 25 and 30. For the second, look at the action steps listed under "provide directions around the courthouse" at p. 28. The third might be addressed by the steps shown under "use audio/video format for information" at p. 28.

The Guide includes concrete action steps that are architectural, technological, and programmatic — ranging from major structural changes like installing a permanent ramp at the front entrance of the courthouse to simple changes in interpersonal communication by court staff. It demonstrates inventive means of overcoming barriers.

The ideas are illustrative, not comprehensive, and are intended to serve as a springboard for resourceful thinking. They were culled from an interdisciplinary group of disability, judicial, legal, architectural, and technological experts that met at the American Bar Association in June 1992. Judges, court managers and state/local buildings officials should select the action steps appropriate for each court, and adapt the ideas for their own use.

The list of action steps forms a catalogue of possible modifications to address functional limitations in court. It is **not** intended to be a compliance checklist for the Americans with Disabilities Act. The National Center for State Courts, through a grant from the U.S. Department of Justice, has produced detailed checklists for court services and architectural elements, showing regulatory requirements for each. Rather, this Guide is meant to be used in combination with such a checklist, to generate imaginative ways to overcome barriers and to coordinate with community groups.

The Guide also describes the **range of disabilities**, including those resulting from physical, sensory, communications and cognitive impairments. Each action step is indexed by kind of impairment, with the symbols:

- P-physical;
- H-hearing;
- V-vision;
- C-cognitive;
- S-speech/language.

In addition, the Guide suggests **community resources** helpful to courts; addresses possible **funding resources**; and lists **national organizations** with useful information.

The Guide highlights two overarching themes — linkage and low-cost ideas. The first encourages courts seeking to implement the ADA to work with the growing disability and aging networks. Court/community liaisons, task forces and protocols will enhance a court's capacity to meet diverse needs and uncover hidden resources.

The second theme suggests that while ADA implementation will have a pricetag, it need not “bust the budget” of court systems whose financial resources are limited. Creative financing, sharing of accommodations, alternative low-cost or no-cost ideas, and appropriate use of volunteers are key concepts. The Guide gives practical tips for implementing each.

The Guide focuses on access, and does not cover courts' responsibilities as employers under the Act to ensure that “otherwise qualified applicants or employees” are not subjected to disability discrimination. For specific information on employment, see the Equal Employment Opportunity Commission ADA Technical Assistance Manual, or call the EEOC ADA Helpline at 800-669-EEOC.

Setting the Stage

Changing Demographics

As medical technology advances, the number of people who survive disabling conditions is on the rise. The figures are striking:

- The ADA states that “some 43,000,000 Americans have one or more physical or mental disabilities.”
- More than 20% of noninstitutionalized United States residents over the age of 15 have a physical functional limitation. Some 7.5% (13.5 million) Americans are severely limited in the functions of seeing, hearing, speaking, lifting or carrying, walking, using stairs, getting around, or getting in and out of bed (National Institute on Disability and Rehabilitation Research (NIDRR), 1992).

Superimposed on this data is the aging of America. Although the later years can be healthful and satisfying, many older people experience periods of chronic, disabling conditions, often several at once.

- While there are now some 31 million persons 65 years and older in the nation, by 2030 there will be about 66 million older Americans, two and one-half times their number in 1980, representing 21.8% of the population (U.S. Senate Special Committee on Aging, 1991).
- The number of “old old”, age 85+, is soaring.
- While individuals vary dramatically, activity limitation tends to increase with age. Close to half (45.4%) of persons over 65 have functional limitations in physical activities. The percentage climbs to 55.3% for those age 70-74, and to 72.5% for those age 75 and over (NIDRR, 1989).

Access to Court

Judicial policymakers at the national and state level have recognized this rise in disabilities among court clientele, and have called for overcoming barriers to court.

- **The Trial Court Performance Standards**, developed by a national commission of state and local court leaders, recommend that court facilities be “safe, accessible and convenient to use,” and that “all who appear before the court are given the opportunity to participate effectively without undue hardship or inconvenience” (National Center for State Courts, Standards 1.2 and 1.3, 1990).
- **The 1991 National Conference on Court-Related Needs of the Elderly and Persons with Disabilities**, sponsored by the American Bar Association and the National Judicial College, urged that:

The justice system should commit itself to the removal of attitudinal barriers and serve as a model of accessibility based on the principle of universal design, which requires a barrier-free, technologically enhanced environment in which what is needed by one is available to all.

The Conference’s visionary recommendations were adopted as American Bar Association policy in August, 1991.

- Commissions on the future of courts in several states outline the need for broad access. (See, for instance, the 1986 **Report of the Citizens’ Commission to Improve Michigan Courts**; and the 1989 **Report of the Commission on the Future of Virginia’s Judicial System**.)
- A number of state judicial guidelines for court facilities include accessibility mandates. In addition, the 1991 **Planning and Design Guide for Courts** by the National Center for State Courts makes recommendations on access for each courthouse space and facility.

All of these court-related actions reinforce the Americans with Disabilities Act. The ADA recasts the legal landscape of accessibility and paves the way for new societal attitudes throughout the country — and throughout the country’s over 2,200 state courts of general jurisdiction and over 13,000 state courts of limited jurisdiction.

The Americans with Disabilities Act

The Americans with Disabilities Act (42 U.S.C. 12101 et seq.) protects qualified individuals with disabilities from discrimination on the basis of disability. The Act expands the scope of Section 504 of the Rehabilitation Act of 1973, which prohibits such discrimination in activities receiving federal financial assistance. It eliminates the federal funding nexus.

Two sections of the ADA directly affect state courts. Titles I and II address discrimination in employment. Title II covers discrimination in state and local government services, programs and activities. This Guide focuses on Title II’s access provisions, which state that:

No qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of, the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity.

Title II became effective January 1992. State and local government entities, including state courts, must now modify policies, practices and procedures to prevent disability discrimination, remove architectural and communication barriers, and provide accessible services. To understand Title II, court personnel should review:

- the accompanying regulations at 28 CFR, Part 35;
- the **ADA Handbook**, Title II, U.S. Department of Justice;
- the **Title II ADA Technical Assistance Manual**, U.S. Department of Justice; and

- the upcoming Title II guidelines by the Architectural and Transportation Barriers Compliance Board.

To comply with Title II, courts must provide a continuous, unobstructed route from public transportation and from accessible parking to the areas where court services are conducted. This route must include:

- an accessible entrance;
- an accessible path for travel to services and program areas;
- an accessible restroom, drinking fountain and telephone, where these are provided;
- interior signs; and
- an alarm system without communication barriers.

Throughout this route, courts must eliminate architectural and communications barriers that restrict access or use by persons with disabilities. Moreover, courts also must assess all current services, policies and practices to ensure access. Finally, courts must provide services in “the most integrated setting appropriate” to the needs of persons with disabilities.

New buildings must meet technical standards for accessible design. When a courthouse or other public building makes alterations, the altered portions must comply with such standards. Public entities may choose between two standards—the Uniform Federal Accessibility Standard (UFAS), established under the federal Architectural Barriers Act, or the Americans with Disabilities Act Accessibility Guidelines (ADAAG), issued by the Architectural and Transportation Barriers Compliance Board, and adopted by the Department of Justice. (However, while ADAAG, unlike UFAS, does not require the installation of elevators in certain facilities, this exception cannot be taken by state and local government buildings such as courthouses.)

Physical barriers in existing courthouses must be removed if necessary to make judicial services accessible. But extensive retrofitting is not required if programs can be made accessible in other ways. This approach toward alternative means of achieving accessibility is called “program accessibility”. It is the key concept and powerful underlying thrust of Title II.

Program Accessibility

The “program accessibility” requirement of Title II of the ADA derives from Section 504 of the Rehabilitation Act. It states that each program or service “when viewed in its entirety, must be readily accessible” (28 CFR 35.150). Therefore, public entities (unlike private facilities open to the public under Title III) are not necessarily required to make each existing element accessible, as long as **the program as a whole** is accessible. The focus is on the availability of the **program**, rather than on barrier removal. According to the regulations, programs might be made accessible by relocating services to other areas, providing an aide or personal assistant, providing services in an individual’s home or other accessible site, and providing information by audiovisual means.

Public entities need not take action that would cause a “fundamental alteration” of the program or service or an “undue financial or administrative burden,” as determined by the head of the public entity. Instead, the entity must take any other action that would enable individuals with disabilities to participate.

The Department of Justice technical assistance manual shows how the “program accessibility” mandate might be applied in a state court:

D, a defendant in a civil suit, has a respiratory condition that prevents her from climbing steps. Civil suits are routinely heard in a courtroom on the second floor of the courthouse. The courthouse has no elevator or other means of access to the second floor. The public entity must relocate the proceedings to an accessible ground floor courtroom or take alternative steps, including moving the proceedings to another building, in order to allow D to participate in the civil suit.

The concept of program accessibility invites creativity and flexibility. It opens the door to innovative alternative approaches that might be implemented with very little cost. This Guide seeks to animate the program accessibility mandate for state courts, moving toward “equal access to justice” for persons with disabilities and an improved judicial system for all court users.

Understanding the Range of Disabilities

The court system and the courthouse, like many other public as well as private programs and buildings, were designed to accommodate the “normal” person. Yet many Americans do not fit this “norm,” and may encounter barriers in the judicial process. A growing number of people will come to court with a wide range of disabilities. Court personnel must be ready to accommodate multiple problems and abilities. This section of the Guide highlights the diversity of disabilities and the resulting functional limitations.

Physical Disabilities

Birth defects, accidents, or chronic conditions (such as epilepsy, cerebral palsy, multiple sclerosis, etc.) can cause physical disabilities that “substantially limit one or more major life activities,” triggering coverage under the ADA. These include:

- **manipulatory disabilities** that make it difficult or impossible to use one or both hands or arms;
- **mobility or motor disabilities** that interfere with movement and may require the use of a cane, walker or wheelchair; and
- **lack of stamina or endurance.**

Elderly persons often experience chronic conditions — such as diabetes, rheumatoid arthritis, osteoarthritis, strokes, and osteoporosis — that cause physical limitations.

Many of these physical limitations pose difficulties in filing a case or participating in a court proceeding, including:

- climbing stairs;
- walking;

- waiting and sitting for long periods;
- opening heavy doors and turning doorknobs;
- standing and reaching;
- carrying papers and files;
- writing; and
- using the telephone, the restroom, drinking fountains, copy machines, microfiche.

Hearing Impairments

Between 21 and 28 million Americans have hearing problems due to birth defects, illness, trauma to the ears or noise exposure, or aging (American Speech-Language-Hearing Association, 1992). Problems in hearing range from mild (difficulty hearing soft sounds) to profound deafness (difficulty or inability to hear even loud sounds). Many people who fall in this range are “hard of hearing” and may need amplification technology.

Hearing problems affect basic communication in using court facilities and participation in court processes, such as:

- asking for and receiving information about the judicial process, deadlines, schedules, filing requirements, etc.;
- hearing announcements, warning systems;
- using telephones; and
- understanding and participating in depositions, pretrial services, trials, juries.

Communication Disorders and Learning Disabilities

Speech and language disorders inhibit effective communication for more than 2.5 million Americans over the age of 15 (NIDRR, 1989). Speech disorders caused by birth defects, brain

dysfunction, illness, hearing impairments or other conditions include:

- voice disorders — defects in pitch, volume, voice quality;
- articulation disorders — omission, distortion, substitution or addition of sounds; and
- fluency disorders — interruptions in flow, rate and/or rhythm of speech, including stuttering.

Language disorders are difficulties in mastering the rules of language, due to trauma to the central nervous system from strokes, brain tumors, head injuries or diseases that affect the central nervous system, such as Alzheimer’s Disease.

Learning disabilities generally refer to “difficulties in the acquisition and use of listening, speaking, reading, writing, reasoning or mathematical abilities” (Smith and Luckasson, 1992). The number of persons with learning disabilities is difficult to pinpoint. In our nation’s schools alone, there are currently 1.9 million children identified as “learning disabled” (Smith and Luckasson, 1992).

While some experts believe that learning disabilities result from injuries to the brain or central nervous system, the majority of cases of learning disabilities show no physical evidence or actual medical diagnosis of such damage. Although brain injuries have been documented in certain cases, caused by accidents or lack of oxygen before, during or after birth, researchers also point to hereditary factors, diet and other environmental factors (Smith and Luckasson, 1992).

In the court system, communication disorders and learning disabilities may present problems in:

- asking for and understanding directions;
- understanding instructions, forms and signs;

- communicating with court personnel, other parties, attorneys;
- giving depositions and testimony;
- reading and comprehending written court instructions, forms, petitions, other documents and signs; and
- conducting telephone conversations with court personnel and attorneys.

Vision Impairments

Over 8 million people have vision impairments. Nearly 13 million Americans over the age of 15 report problems reading ordinary newsprint, even with corrective aids (NIDRR, 1989). Vision impairments range from mild-to-moderate losses in vision (between 20/70 and 20/200 visual acuity) to blindness. The primary causes of vision impairments are: macular degeneration, glaucoma, cataracts, diabetic retinopathy, corneal disease, retinitis pigmentosa, stroke, retinal detachment, trauma and tumors (Resources for Rehabilitation, 1991).

In the court system, vision impairments can create difficulties in:

- negotiating the physical facilities of the courthouse;
- reading or completing court forms, voir dire questionnaires, documents or materials with small print and low contrast;
- seeing signs in the court facility;
- seeing physical evidence as a juror; and
- using telephones that are not equipped with large print, Braille, raised characters or push buttons.

Mental Illness

The three major mental illnesses are schizophrenia, severe depression and bipolar disorders. More than two million Americans have schizophrenia during their lifetime, probably during adolescence or early adulthood. Depression hits 18-23% of females and 8-11% of males at some point in their lives. Bipolar disorder, also known as "manic-depressive illness," affects up to 1.2% of the adult American population (American Psychiatric Association, 1980). Symptoms of these conditions include:

- **schizophrenia** — disordered thinking, delusions, perceptual difficulties, hallucinations (i.e., false sensory experiences), emotional disturbance;
- **severe depression** — prolonged mood disturbances that can include appetite disturbance, changes in weight, sleep disturbances, restlessness or slowed movement, decreased energy, feelings of worthlessness and guilt, difficulty in concentrating or thinking, thoughts of death or suicide; and
- **bipolar disorder** — periods of depression alternating with periods of mania. Manic episodes can include elevated mood, hyperactivity, rapid speech, inflated self-esteem, decreased need for sleep, distractibility and risk-taking behavior.

In the court environment, persons with mental illness may experience difficulties in:

- maintaining concentration over time, particularly during long proceedings;
- maintaining stamina during long waiting periods;
- screening out external stimuli, particularly in crowded public areas and in the courtroom;
- managing time pressure and deadlines;

- initiating contact with court personnel;
- focusing on multiple tasks simultaneously, such as consulting with counsel in the courtroom while still following testimony;
- making and implementing action plans, such as negotiating the court procedures;
- dealing with spontaneous situations and unexpected obstacles;
- maintaining orientation in unfamiliar surroundings;
- self-care;
- reading, especially under time pressure;
- making decisions under time pressure or stress, such as in the courtroom and jury room;
- activities affected by psychotropic medications — low manual dexterity due to tremors, an inability to sit still for long periods of time, excessive thirst and fluid consumption, frequent need to use the bathroom; and
- functioning in uncomfortable temperatures/humidity levels.

Mental Retardation

Between 1% and 3% of the American population has mental retardation, a condition that begins before the age of 18 (Smith and Luckasson, 1992). Persons with mental retardation have significantly decreased general intellectual functioning and limitations in two or more of the following living skills:

- communication;
- self-care;

- home living;
- social skills;
- community use;
- self-direction;
- health and safety;
- fundamental academics;
- leisure; and
- work.

There is a significant range in the degree of mental retardation and the intensity of needed supports. About 85 percent of persons with mental retardation are classified as “mild” (I.Q. score between around 50 and 75), but I.Q. scores can be 20-25 or lower.

The causes of mental retardation include:

- non-organic causes — poverty, unsafe housing, poor sanitation, inadequate nutrition, impure water, lead poisoning, inadequate health care, unsafe neighborhoods and inadequate child care;
- injuries to the brain and head from accidents;
- injuries at birth, especially the deprivation of oxygen;
- viruses such as rubella, meningitis and measles;
- alcohol, cigarettes and other drugs ingested during pregnancy;
- sexually-transmitted diseases; and
- chromosomal abnormalities such as Down Syndrome (Smith and Luckasson, 1992).

In the court system, persons with mental retardation may experience difficulties in:

- understanding directions, procedures, forms;
- expressing their needs and information to court personnel, attorneys and others;
- understanding the implications of waiving a right or consenting to a procedure;
- using memory and judgment, which can affect testimony;
- assisting counsel in decisionmaking;
- understanding and participating in complex procedures and systems;
- understanding rapid speech, complicated sentences;
- reading and writing;
- understanding money;
- making choices; and
- responding accurately to suggestions/questions of authority figures due to a desire to please.

Some people with mental retardation also have physical disabilities that need to be accommodated, including seizure disorders.

Alzheimer's Disease and Other Dementias

Dementia is a group of symptoms that characterize certain diseases and conditions, and that destroy the ability to understand events and people, make plans, and take care of oneself. Many dementia conditions are progressive, so an individual becomes less able to function independently over time. Yet in some cases, dementia is reversible, or dementia-like symptoms stemming

from depression, drug reactions, intoxication, or nutritional deficiencies can be treated.

About 1.8 million Americans have severe dementia, and are so incapacitated that others must care for them at all times. Another one to five million have mild or moderate dementia (U.S. Office of Technology Assessment, 1990). Dementia occurs more frequently as a person gets older.

Alzheimer's Disease is the most common cause of dementia, affecting approximately 10% of people over age 65, and 47.2% of those 85 or older (Evans, 1989). It is a progressive, degenerative disease that attacks the brain and results in impaired memory, thinking and behavior severe enough to interfere with the ability to perform routine functions. Additional causes of dementia include other progressive degenerative diseases such as Huntington's disease, Parkinson's disease and Pick's disease, cardiovascular diseases, brain infections that include AIDS, metabolic disorders, normal pressure hydrocephalus, and space-occupying lesions such as brain tumors.

People with dementia can experience:

- cognitive losses — memory, intelligence, learning abilities, problem-solving, judgment, comprehension, attention and orientation to time, place and oneself;
- decreased language abilities, including the ability to express oneself meaningfully and to understand others;
- difficulties in self-care, including using a telephone, handling money, personal care activities;
- neurological changes that affect movement, swallowing, speech;
- difficulty performing activities in unfamiliar environments;
- psychiatric disorders, including suspiciousness and paranoia (which can be exacerbated by the court environ-

ment), visual and auditory hallucinations, withdrawal, reduced emotional responsiveness, agitation, restlessness; and

- behavioral problems such as wandering and pacing. There is a potential for emotional outburst, disruptiveness and aggressiveness, especially if the person feels threatened.

People with dementia often have other medical conditions that are unrelated or only marginally related to the dementia, such as cardiac or vascular problems, arthritis, and/or visual or hearing impairments. In the court environment, persons with dementia present many of the problems of persons with mental illness, compounded by their additional medical conditions. In addition, a person coming to court may be accompanied by a relative with Alzheimer's Disease, since most are cared for by family members in the community.

Getting People into the Courthouse

Essential to "equal access to justice" are courthouses that are free of barriers such as flights of stairs, heavy doors, or directional signs that cannot be read. Anyone coming into a courthouse should be able to navigate freely from the parking lot or public transit station through the entrance and to each space or element within the building. Yet the traditional architectural elements used in courthouses to convey reverence for justice — large columns, heavy doors, many steps and marble floors — may tend to impede accessibility.

Clear information about court access, court services, and obtaining public documents also is a key element of accessibility. Courts should use a variety of media for communication; use simple language and formats; eliminate physical barriers in areas where information is shared and documents are distributed; and provide assistive technology if needed.

Channel Public Contact about Access

(Note: Action steps are indexed by kind of impairment, with the symbols P-physical; H-hearing; V-vision; C-cognitive; and S-speech/language.)

- Designate a staff person as "access ombudsman." (P, H, V, C, S)
- Purchase a "text telephone" (telecommunications device for the deaf, or "TDD"). Text telephones transmit printed messages across telephone lines. The modest purchase price is approximately \$125 - \$150. Contact Telecommunications for the Deaf or Self Help for Hard of Hearing People for more information. (H)
- Provide an "access hotline" telephone number for contacting the ombudsman, with a text telephone (TDD) number as well. Publicize the ombudsman and hotline numbers throughout the community. (P, H, V, C, S)

- Create and publicize a specific process for resolving any court access disputes, which could be a modification of the existing grievance process. Consider including the access ombudsman, a court dispute resolution program, and/or the “ADA coordinator” for the local jurisdiction (a “responsible employee” designated by a public entity, as required by the ADA regulations, Sec. 35.107). (P, H, V, C, S)

Orient the Ombudsman and Court Staff

- Use local disability groups such as the protection and advocacy agency, the mental health association, the association for retarded citizens, and the local chapter of the Alzheimer’s Association to train the ombudsman and court staff about the needs of persons with different disabilities, stereotypes, and resources available in the community to help. Key court staff include the ombudsman, information staff, public records staff, court clerk’s office, courtroom staff. (P, H, V, C, S)
- Encourage an attitude change in staff: the staff role is to help all persons get through court processes quickly, smoothly and successfully. (P, H, V, C, S)
- Include communication techniques in staff training. Provide the ombudsman and staff with “communication tips” such as:
 - Offer verbal clues to a person who is blind or has a visual impairment, such as identifying currency when counting change. Avoid referents such as “this,” “that,” “there,” without more information. (V)
 - Establish eye contact before speaking with a person who is deaf or has a hearing impairment. Face the person, even if he/she is accompanied by an interpreter, and speak clearly without shouting. (H)
 - Sit down, if possible, to talk with a person in a wheelchair in order to maintain the same eye level. (P)
 - While talking with elderly persons or persons with mental retardation, speak slowly, clearly and in concrete terms.

- Use appropriate questions and facial expressions and check frequently to ensure the person’s understanding. Avoid asking questions such as “Do you understand?” that could generate simple “yes” answers. (C)
- Ask if assistance is necessary, but accept a refusal. (P, H, V, C, S)
- Provide sensitivity training for staff, particularly for their interaction with people with cognitive impairments, that will help them to pick up on subtle cues from people who may be embarrassed, may have spent years covering up their disabilities, and, in some cases, may deny their functional impairments. Use individuals with disabilities and staff from disability organizations as trainers. (P, H, V, C, S)
- Familiarize the ombudsman and court information staff with the local paratransit plan required by the ADA so they can answer questions. Your local department of transportation is a key contact. (P)
- Make sure everyone understands how to receive a “relay call” that might come in over a regular telephone. A “relay call” involves a person who is deaf calling a relay operator who serves as the speaker to the recipient of the call (the court). The ADA provides for the establishment of “telecommunications relay services.” (H)

Spread the Word in the Community

- Conduct outreach about court access to disability groups, mental health programs and senior centers. (P, H, V, C, S)
- Explore public service announcements on radio and TV to deliver important information about the court. Your local cable station or university might be able to produce an announcement pro bono or for a reduced rate. (P, H, V, C, S)
- Let citizen hotlines and computer bulletin boards serving people with disabilities know about access arrangements at the court and provide updates. (P, H, V, C, S)

- Sponsor or participate in Law Day or Meet the Judges programs, so the public will be more familiar with the judiciary. (P, H, V, C, S)

Identify Routes and Access Features

- Create a simple map showing the location of the courthouse, directions from public transportation, and the location of accessible parking spaces. Distribute at the county library, city hall, social services department, information and referral programs, the bar association. Include in the city telephone directory. Mail with summonses and notices. (P, H, V, C, S)
- Consider publishing a large-print brochure (see p. 27 for specifications) or short handbook with information about court access and court services. Include a color-coded map of the courthouse. Consider using pictures to describe court services. Have the brochure available in Braille, cassette tape and/or captioned videotapes. Provide the telephone number of the court access ombudsman. (P, H, V, C, S)
- Contact other courts in the region to pool printing resources and produce a generic booklet with an insert for maps and information about specific courts. (P, H, V, C, S)

Use Local Maintenance Staff to Eliminate Simple Barriers

- Ask the local jurisdiction to create/repair curb cuts near the courthouse. (P)
- Have staff repair nearby uneven paving. Fill small bumps and breaks in the concrete or asphalt with beveled patches. Replace gravel with hard top. (P, V)
- Request repainting of accessible parking stripes to create an adequate number. Be sure accessible spaces are closest to the accessible entrance. Designate staff to check regularly that accessible parking is used only by persons with disabilities. (P)

Create an Accessible Entrance

- Consider using a ground-level public entrance (not a service entrance) that is close to elevators and accessible parking. (P)
- For a courthouse with front steps, install a lift or ramp. Explore altering the terrain to reduce cost. (P)
- For ramps longer than six feet, secure railings or explore adding them. Non-slip surfaces or runners on sides can help alert persons who are blind to dangerous edges. (P, V)
- Modify or add signs showing the location of the nearest accessible entrance. (P)

Open the Doors

- Widen any doors narrower than 32". Ordinary offset hinges added to existing doors can increase width by 2". (P)
- Install lighter doors, oil hinges on existing doors, or reduce door pressure. (P)
- Adjust a door's swing to allow a person with an aide or guide dog to pass through. (P, V)
- For heavy doors, explore power-assisted door openers. (P)
- Consider attaching adapters to round door knobs to make levers. (P)
- Have hand-held metal detectors available for security checks for wheelchair users. (P)

Assisting People through the Court and Court Processes

Make Forms and Instructions Clear

- Revise informational materials and forms to improve readability for all court users. (H, V, C, S)

Consider:

- large type and plain language;
- pictorial representation for persons with cognitive impairments and persons with literacy problems;
- clean serif typeface in at least 12-point type;
- 18-point type for a large-type format;
- optimum line length for written materials is just over four inches, with six inches maximum; and
- two-column formats for text, with short paragraphs.

Avoid:

- bright white paper;
 - all capital letters;
 - italic type.
- Be careful with graphical user interfaces (icons) in computer-generated materials. Speech technology for persons who are visually impaired can read characters only, not icons. Explore other alternatives with the American Foundation for the Blind, The Association for Retarded Citizens and PUSH Literacy Action Now. (V, C)

- Use available resources. PUSH Literacy Action Now (see resource list) has information on designing materials for persons who have literacy problems. Check with the local association for retarded citizens, the American Foundation for the Blind and the National Federation of the Blind for suggested language, as well as approach to their constituencies. (V, C, S)

Use Audio/Video Format for Information

- Consider recording general information on a cassette tape and placing it on a phone machine that can be called. Make the cassette available on a cassette player, with earphones and a chair, near the information counter for persons who have difficulty with written materials. (P, H, V, C, S)
- Use cassettes to focus on different court services. Many agencies provide volunteer readers who could record materials. Check with the local affiliate of Disabled Veterans of America and the National Library Service for the Blind and Physically Handicapped. Brochures and cassettes could be mailed before people come to court. (P, H, V, C, S)
- Explore making an orientation video for the court. The local university or cable TV station may be able to help. This video could be used for the jury as well as community groups. (P, H, V, C, S)
- Consider using a video or audiotape to provide instructions for specific court processes that highlight the steps and the individual's role in the process, particularly for pro se cases. (P, H, V, C, S)

Provide Directions around the Courthouse

- Modify signs throughout the courthouse (including restrooms and courtrooms) using large lettering, contrasting colors, raised symbols, Braille and pictures. Make signage consistent in height and location on different floors. Check with local chapters of organizations for blind persons to identify local

vendors who can make such signs. Test your signs with someone who is blind. (P, H, V, C, S)

- Be sure there are no directional gaps in a series of signs. (P, H, V, C, S)
- Consider a large color-coded pictorial directory in the court lobby with large lettering and non-glare glass. (P, H, V, C, S)
- Consider placing a large print, non-glare display monitor in the lobby listing the cases to be heard in each courtroom daily. Explore an audio version as well. (P, H, V, C, S)
- Make the information booth non-threatening and attractive. Get county maintenance staff to lower a portion of the information counter if too high for wheelchair users. Consider removing unnecessary glass partitions. (P, H, V, C, S)
- Encourage staff to be patient and friendly, and to give directions simply and clearly. Giving directions in a simple, step-by-step manner may be necessary for persons with cognitive impairments. (H, V, C, S)
- Consider placing sound buffers to screen out noise in the information area and at public counters so verbal information can be heard more easily. (H, C, S)
- Have paper and pencil handy at the information booth and at the public records counter for use by persons with hearing or communication difficulties. (H, C, S)
- Give the information staff flash cards with common questions and answers about access so that people with cognitive and speech impairments can use them. These cards can be easily updated for frequently asked questions. (H, C, S)
- Have information booth staff meet regularly with the access ombudsman to pinpoint common problems. Consider the use of trained volunteers at the information booth — AARP,

League of Women Voters, Junior League, volunteers through disability groups, etc. (P, H, V, C, S)

Create An Accessible Path of Travel

- Use local disability groups such as the local chapter of the Easter Seals Society or Paralyzed Veterans of America to test for an accessible path of travel throughout the courthouse that is wide enough for wheelchairs; does not have stairs, thresholds, or protruding objects; and is slip-resistant. Move furniture if necessary. Modify small elevation changes that may be hazardous for blind persons. (P, V)
- Identify a first-floor courtroom for use if upper-floor courtrooms are not accessible. (P)
- Designate a first-floor conference room for upper-floor court staff to come down and provide service if upper floors are inaccessible. (P)
- Consider using a non-slip floor/ground pavement covering or a wide rubberized track in all common areas to guide persons who are blind, and to provide a safe path of travel for all. Since padded carpet can be difficult for wheelchairs, explore direct glue-down carpet. Secure the edges of carpeting on all sides, possibly with tape. (P, V)
- Consider placing related services in one area of the courthouse to minimize travel. (P, H, V, C, S)
- Contact the disability community and local service organizations for assistants to help persons with cognitive disabilities find their way around the courthouse. Permit companions to stay with the person at all times. (C)
- Keep doors open or closed completely. Half-open doors are dangerous for many, particularly persons who are blind. (V)

Make Other Low-Cost Physical Improvements

- The telephone company may lower and adapt some phones without cost. Have some push-button phones, at least one public text telephone (TDD), and a sufficient number of telephones that are amplified and hearing-aid compatible. (P, H)
- Add cup dispensers near the drinking fountains. Use cups with flat bottoms for persons with manipulatory impairments. Be sure there is sufficient floor space for a wheelchair in front of the fountain. (P)
- Install flashing alarm lights, as well as audible alarms, particularly in the restrooms. (V, H)
- Upgrade lighting wattage and fixtures. (V)
- Explore using dividers or multiple waiting areas to minimize noise and confusion in crowded waiting rooms and hallways. Persons with mental disabilities may be overwhelmed in these circumstances. (C)

Change Procedures

- Create a standard procedure for the early flagging and addressing of cases requiring special services. Explore using a checkoff box on all forms handled in-house to identify cases requiring access assistance. (P, H, V, C, S)
- Consider scheduling appearances according to the person's limitations: medication, public transportation, times associated with fatigue. (P, H, V, C, S)
- Consider creating a "processing center" staffed with interns or volunteers to remind clients of appearances, read forms over the phone, provide assistance in filling out forms. (P, H, V, C, S)

- Permit persons with mental illness or mental retardation to use their own personal tape recorders and headphones during long waits to reduce stress. (C)
- If multiple court staff interviews are necessary for persons with mental illness or mental retardation, consider group interviews to minimize stress. (C)
- Examine structured “motions day” or “motions period” policies to determine if they pose difficulties for persons with disabilities, require long waits, create difficulty with public transportation, or occur late in the afternoon. Provide more flexible scheduling for these cases. (P, C)
- Consider beepers to permit people who need to walk off stress to leave the immediate area. (C)
- Design an emergency exit plan to include persons with disabilities. (P, H, V, C, S)

Provide Services

- Provide a reasonable amount of telephone reference services (checking judgment records, etc.) for persons with vision impairments, even though the general public might not be entitled to the service. (V)
- In cases of dismissal for failure to appear in cases involving a person with a disability, check to make sure the person’s disability did not interfere with his/her understanding and participation. (V, C)

Making the Courtroom Accessible

Making the courtroom accessible requires planning and implementing a broad range of changes, from obtaining crucial technology such as sound enhancement systems to simple no-cost adjustments like changing a trial site to a first-floor room. Courts should consider physical layout, communication technology and human support services, and should be sure to consider the needs of all trial participants — judges, lawyers, parties, witnesses, court personnel, jurors and members of the public who come to observe.

Modify Courtroom Facilities

- Consider revising the courtroom layout to enhance the visibility of the judge, witnesses, interpreters and other key players. (H)
- Provide improved lighting by increasing wattage and improving fixtures. (V)
- Decrease glare by placing important locations (witness box, judge’s bench) and persons away from light sources such as windows, overhead light fixtures. (V)
- Consider using carpet runners to assist persons who are blind or have poor vision in finding the podium or other important locations in the courtroom, or to alert blind persons to the perimeters of ramps. Tape the sides of the runners to prevent tripping. Courtroom bailiffs also can serve this function. (V)
- Clear courtroom floors of running cables and wires that could trip people. No objects should protrude into the walkways. (V, P)
- Consider using mobile furniture to “shrink” the courtroom area to assist persons with hearing impairments and visual impairments, or to allow more informality for persons with cognitive impairments, if necessary. Be sure that moved

furniture does not interrupt sightlines for persons who are lip-reading or using interpreters. (H, V, C)

- Investigate the potential for lowering the ceiling or parts of it to enhance acoustics (and possibly save on heating costs at the same time). (H)
- Consider raising the counsel table with wood blocks to allow wheelchair seating. (P)
- Use portable ramps, built-in lifts or portable lifts for access to a witness stand. Or consider allowing access to the witness stand from the judge's chamber if all are on one level and there are no other options. (P)
- Consider installing electrical outlets for 3-pronged plugs under the counsel table, at the judge's bench, and in the jury box for persons using assistive note-taking devices and computers. (V)
- Investigate the possibility of a soundproof carrel or a small conference room in close proximity to the courtroom so persons with cognitive or visual impairments can talk with assistants, companions, readers, and attorneys. (V, C)

Modify Public Seating Areas

- Remove unnecessary gates or double doors to public seating. Slow down the rate of closure on swinging doors. (P)
- Remove some aisle seats to make room for wheelchairs or use moveable chairs. Allow a 48-inch-wide space for wheelchairs. (P)

Enhance Technology

- Consider using sound enhancement systems for persons with hearing impairments that amplify sound for persons with some residual hearing — FM, audio loop, and infrared. Systems vary in cost and have varied characteristics. Get advice from organizations/individuals with expertise to de-

termine the system best suited for the courtroom(s) (see resource list). (H)

- Consider sharing portable sound enhancement systems with other governmental entities in close proximity, or with other courts, perhaps through the state court administrator's office. (H)
- Design the room's sound system (microphones and speakers) so all of the sound does not come from one location. Preserving multiple sound sources helps blind people distinguish the speakers in the room. (H)
- Post signs that indicate where to get a receiver for a sound enhancement system. (H)
- Explore with staff court reporters or freelance reporters their ability to provide real-time translation (for simultaneous creation and display on a computer or television monitor of testimony in written form). Many reporters who use computer aided transcription already have this capability. This system is particularly effective for adults who become deaf after reaching adulthood, have little residual hearing but a high level of literacy. Systems may range in cost from \$3,000 to \$25,000 (for a system that combines video and text). Explore equipment price reductions possible through bulk purchases by several courts. Contact the National Court Reporters Association for the names of certified real-time reporters in the locality and for more information on real-time technology. (H)
- Consider communication boards or other portable communication aids for persons with speech and language impairments or mental retardation. Contact the American Speech/Language/Hearing Association for information on communication technology. (S, C)
- Consider making transcripts available in digital form so blind lawyers, parties and other participants can transcribe them into Braille immediately. Also consider providing transcripts in Braille, large print or on cassette. Contact the state voca-

tional rehabilitation agency, which often has this capability. (V)

- Consider videotaped testimony for witnesses who have mental impairments (e.g. agoraphobia, extreme nervousness) or physical impairments that make live testimony difficult. (C, P)

Provide Services

- Before court appearances, outline the schedule in advance for a person with cognitive impairments. Break the process down into individual steps. Work with the local association for retarded citizens and other disability groups to determine appropriate “chunks” of information. (C)
- Contact local disability organizations such as the mental health association or association for retarded citizens for assistants to help persons with disabilities who need special support in the courtroom. Permit “support persons” in all proceedings and allow them to sit with the individual at counsel and client tables. (C)
- Provide information about obtaining legal representation. Contact the local bar association about pro bono or reduced fee services. (P, H, V, C, S)
- Provide qualified interpreters for persons with hearing and communication impairments. Check with the local or state chapter of the Registry of Interpreters for the Deaf. (H, S)
- Explore the availability of human readers from local groups or disability staff, or electronic “personal readers” for persons with visual impairments. Contact the American Foundation for the Blind and National Federation of the Blind. (V)
- Encourage persons with disabilities, particularly visual and cognitive impairments, to familiarize themselves with the courtroom layout in advance. Use local volunteers, the AARP, the Junior League. (V, C)

- Clear in advance the use of assistive devices such as notetaking equipment. (V)

Encourage Practice Changes

- Educate judges and court personnel to speak slowly in simple, concrete language for persons with cognitive impairments. Encourage them to ensure understanding by stopping often to ask open-ended questions rather than just “yes or no” questions. (C)
- Grant recesses to allow an attorney or support person to explain the proceedings, to calm an agitated person, to give needed respite, or for frequent bathroom breaks for people on medication. (C, P)

Consider Alternatives

- Consider moving trials or hearings to an alternative courtroom on the first floor or another alternative site that is more accessible to persons with disabilities. Designate such a room or site in advance, rather than waiting until the need arises. (P, H, V, C, S)
- Explore the use of an accessible courtroom or conference room in a nearby federal court. (P, H, V, C, S)
- Check to see if the state judicial conference has a portable courtroom (with a real-time system and a visual aid machine) that can be obtained on an as-needed basis. (H, V)

Including Persons with Disabilities on the Jury

Accommodations to enhance physical and communications access can maximize opportunities for persons with disabilities to provide jury service, while preserving the integrity of the justice system.

Change Practices and Procedures

- Educate judges, lawyers and court personnel that potential jurors should not be excluded solely on the basis of their disability. (P, H, V, C, S)
- Some state laws prohibit the exclusion of persons with hearing and vision impairments, while others expressly exclude these individuals. Study any applicable law on jury service by persons with mental illness or mental retardation, and consider criteria for determining whether a person with a cognitive impairment is competent to serve. The National Center for Law and Deafness and the Disability Rights Education and Defense Fund may be useful sources of information. (H, V, C)
- Consider revising juror summonses and questionnaires to solicit advance notice of accommodations required. Set up “tickler system” so that court staff are reminded of special needs when the individual reports for service. (P, H, V, C, S)

Adapt the Jury Box

- Adapt the jury box for wheelchair access. Explore portable ramps, removable chairs in the jury box, a moveable front panel on the jury box for easier access, a portable lift. One approach involves modifying the box so that the first row is on the floor level. (P)
- Provide extra seating in the jury box for a person who can read documentary evidence or describe other physical evi-

dence to a juror with a vision impairment, or a support person for a juror with a cognitive impairment. (V, C)

- If jurors are permitted to take notes, explore placing outlets in the jury box and jury room so blind jurors can plug in assistive notetaking devices. (V)
- Reserve the corner seat in the front row of the jury box, or the seat closest to the witness stand and judge, for jurors with vision and hearing impairments. (V, H)

Modify Jury Facilities

- Provide appropriate ramps and widen doorways to allow wheelchair access to jury rooms. (P)
- Make sure restrooms for jurors and those in the jury pool area are accessible to persons using wheelchairs, and have visual and aural alarms. (P, V, H)
- Reduce glare and improve lighting wattage and fixtures in all jury facilities. (V)
- Remove protruding objects and obstacles such as wires, coat and microphone stands in all jury areas. (P, V)
- Provide railings or textural changes on the sides of ramps to avoid hazards for blind jurors. (V)

Enhance Technology

- Explore appropriate sound enhancement systems in the courtroom and jury room — FM, audio loop or infrared. Infrared may be good for the jury deliberation room since it is secure within the walls of the room and ensures confidentiality. (H)
- Consider providing a sound enhancement system in the room where the jury pool waits to be called so persons with hearing impairments can hear instructions and announcements. (H)

- Reduce ventilation noise and other extraneous sound to enhance audibility for hard-of-hearing and blind jurors. (H, V)
- Consider using real-time translation with a terminal for deaf and hard-of-hearing jurors in the jury box and in the jury deliberation room to give them access to the proceedings and to portions of the transcript that are read back to other jurors. (H)
- Provide a “text telephone” (TDD) in jury administration to answer inquiries and requests over the telephone for special accommodations. (H)
- Consider videotaping the sign language interpreter’s performance in case questions of interpreter competence arise on appeal. (H)
- When telephones are provided for jurors, provide amplified, hearing aid compatible and “text” telephones (TDDs). (H)

Provide Services

- Provide a simple, clear orientation to the jury process (and the individual’s role) in alternative formats such as audio, video, Braille and large-print. Have written instructions available as well. (H, V, C, S)
- Explore means other than drivers’ licenses to identify individuals in the jury selection process. (P, H, V, C, S)
- Be prepared to provide individualized assistance to members of the jury pool and jurors, including assistants or staff to help them move around the court and communicate with staff. (P, H, V, C, S)
- Give adequate notice of jury duty, allowing persons with disabilities to arrange transportation and other needed assistance. Include a number to be called for special needs. (P, H, V, C, S)

- Permit those called for jury duty to be accompanied by support persons and guide dogs in all jury rooms. (P, H, V, C, S)
- Eliminate unnecessary waiting time. (P, H, V, C, S)
- Provide qualified interpreters for trials and jury deliberations. Permit interpreters to be present during deliberations. Educate judges, lawyers and other personnel about the role of interpreters: qualified interpreters are purely a conduit for communication, and ethically are bound to refrain from participating in deliberations. The interpreter is not “the thirteenth juror.” (H)
- Provide a staff person or assistant who can read documentary evidence and describe other evidence to a juror with a visual impairment. (V)
- Allow jurors or potential jurors with cognitive impairments to be accompanied by support persons. Consider setting up a program to orient, train and certify “cognitive assistants” who can aid jurors with mental impairments while maintaining the confidentiality and integrity of the jury process. (C)
- Provide recesses to enable lawyers with visual impairments to review written voir dire questionnaires. (V)

Getting Help: Community Resources

The Guide’s action steps can best be accomplished in collaboration with community resources. For state courts, the key to “program accessibility” will be working relationships with the disability network. A solid, workable access plan that truly meets the needs of persons with disabilities in the locale requires broad participation. Indeed, the U.S. Department of Justice **ADA Handbook** for Title II cites the value of public entities “establishing a working relationship” with individuals with disabilities and organizations representing and assisting them.

Numerous organizations at the national, state and local level are ready and willing to help courts improve access. Court staff should identify those members of the disability, aging and dispute resolution networks in the community that can become part of an “access team,” both formally and informally, and contact them for expertise, volunteers, and innovative joint efforts.

Contact the Local/State Disability Network

A number of federal statutes have mandated the establishment of state-wide systems for persons with disabilities. Other regional/local organizations can provide further resources, some that cover a range of disabilities and some that are disability-specific. These agencies provide legal services, technical assistance, and social services, and have expertise and resources to offer courts.

- **Protection and advocacy agencies (P&As).** Each state has a federally-funded “protection and advocacy agency” established through the Developmental Disabilities Assistance and Bill of Rights Act of 1975 (P.L. 94-103) and the Protection and Advocacy for Mentally Ill Individuals Act of 1986 (P.L. 99-319). These key agencies are charged with protecting the rights of individuals with developmental disabilities and mental illness. They have staffs of attorneys, social workers and other advocates,

and can provide valuable technical assistance and training.

- **Client assistance programs (CAPs).** Each state has a “client assistance program” that provides information and assistance to individuals seeking and receiving services under the Rehabilitation Act of 1973. This mission also includes providing assistance in pursuing administrative, legal and other remedies to ensure the protection of rights.
- **State vocational rehabilitation programs.** Each state has an agency that provides rehabilitation, training and job-related assistance to people with disabilities. This agency may have technology and other resources that could help courts.
- **Developmental disabilities planning councils.** These state councils, established by the Developmental Disabilities Assistance and Bill of Rights Act, as amended by P.L. 101-496, serve as advocates for persons with developmental disabilities by conducting studies and analyses; gathering and planning information; developing model policies and procedures; demonstrating new ways to enhance independence, productivity and integration of persons with developmental disabilities; conducting outreach activities, training and prevention activities.
- **University-affiliated programs.** Established by the Developmental Disabilities Assistance and Bill of Rights Act, as amended by P.L. 101-496, these programs are operated by public or nonprofit private entities affiliated with colleges or universities. They provide interdisciplinary training; demonstration of exemplary services in the community; technical assistance to generic and specialized agencies; and dissemination of findings and information to increase the independence, productivity and integration of people with developmental disabilities.
- **Governors’ commissions on disabilities.** Many governors have established a commission on disabilities, which is a good “one-stop shop” for information on state agen-

cies and initiatives in the state working with people with disabilities.

- **Local offices on disability.** Some localities have identified a local agency or employee to assist persons with disabilities. This local staff often will be designated as the “ADA coordinator” for the jurisdiction.
- **Other state agencies.** Many states have executive branch departments or offices on mental health, mental retardation, blindness, deafness and other categories of impairments.
- **Disability-specific groups.** Many organizations have a disability-specific focus — vision, hearing, retardation, specific chronic conditions. They can provide valuable information on ways to accommodate their clients’ specific needs. Some operate at both the national and local level, through affiliates or chapters (see resource section).

Use National Disability Resources

Some federal agencies have specific ADA-related projects underway that can help (see resource section for addresses and telephone numbers):

- **The National Institute on Disability and Rehabilitation Research** has funded Disability and Business Technical Assistance Centers on the Americans with Disabilities Act in each of the ten federal regions. These centers are sources of information, direct technical assistance, training and referral on employment and public services under the ADA.
- **The Architectural and Transportation Barriers Compliance Board** is developing specific court guidelines related to the ADA, and has booklets and guides on barrier-free design, accessible rest rooms, wheelchair lifts and other physical access issues.

Several key national organizations could be helpful to courts (see resource section for addresses, telephone, and other groups):

- **The American Bar Association's Commission on Mental and Physical Disability Law**, which produces the **Mental and Physical Disability Law Reporter** and has conducted several court-targeted initiatives on the ADA.
- **The National Center for State Courts**, which has checklists for courts to examine their employment practices and procedures; programs, activities and services; and physical facilities under the ADA.
- **The Disability Rights Education and Defense Fund**, which provides technical assistance and information to agencies and individuals on the ADA.

Contact the Aging Network

The Older Americans Act of 1965 (42 U.S.C. 3001 et seq.) and its amendments created a vibrant national-state-local "aging network." Under the Act, each state has a "state unit on aging" and is divided into smaller "planning and service areas" administered by over 670 local "area agencies on aging." Older Americans Act funds flow from the U.S. Administration on Aging to the state units on aging, and in turn to the area agencies, which generally contract with local providers for a range of social services such as transportation, nutrition, legal assistance, homemaker services, adult day care, case management, volunteer programs, etc. Each state unit and area agency on aging has an advisory council, many of whose members are elderly. Linkages with the agencies and their citizen councils will be critical in planning for court access.

In addition, several national organizations concerned with older persons can be important sources of information for courts. These organizations are listed in the resource section.

Identify Help Needed

It may be useful to list the court's specific needs for technical assistance, and then target the resources. Specific roles for the disability and aging networks might include:

- **identifying local resources** such as interpreters, court reporters who do real-time translation, architects with expertise in disability access, specialists in readability for redesigning forms, technology to use or share;
- **providing resources for training** court staff on disability issues, both materials and speakers;
- **conducting surveys** of existing policies, procedures and the court facility;
- **developing a referral protocol** between the court and community groups; and
- **recruiting, training and supervising volunteers** who can serve as "accessibility aides," support persons for victims/witnesses with disabilities, assistants for jurors with disabilities, mediators regarding disability issues and disability access disputes, liaisons between the court and community entities, transportation assistants to ensure that persons with disabilities can get to court, monitors of cases affecting persons with disabilities.

Create an Accessibility Task Force

To provide a structure for tapping the resources of these disability and aging networks, courts might create an ongoing "access task force." The task force could be charged immediately with the implementation of the ADA, but with a long-term goal of addressing broad court-related access needs. Such a committee or task force was a key recommendation of the 1991 National Conference on the Court-Related Needs of the Elderly and Persons with Disabilities. A task force can forge a realistic, locally tailored ADA court access plan, and can push to make the plan a reality.

Consider appointing a judge to serve as chair of the task force. Include persons with disabilities as active members. Also include:

- court management staff;
- the bar association;
- a court reporter;
- government officials responsible for the court's budget and facility (such as the county administrator or budget officer);
- local or state building code enforcement officials;
- representatives of local disability groups and agencies;
- a representative of the area agency on aging and/or advisory commission on aging;
- a member of a national or local aging organization (such as the American Association of Retired Persons state or local affiliate);
- an architect, engineer and/or access expert; and
- a technology expert.

Use the access task force to:

- **survey court programs, activities, services and the court facility** to meet the ADA's self-evaluation requirement (29 CFR 35.105). Contact the National Center for State Courts to get its checklists. Involve persons with disabilities in the survey process.
- **develop an accessibility plan** with both short-term and long-term components. Include cost estimates. Involve the public in reviewing the plan. Relate the court's plan to the larger local/state government entities' ADA plans.

- **generate support** for the plan's implementation. Have members support funding before the local governing body and/or the state legislature, and inform the public about court access issues.
- **plan for training** court staff, judges and volunteers.
- **create an ongoing forum to enhance court access.** Use the task force to make a strong link among judicial, disability and aging networks; develop referral protocols; ensure transportation to court and legal representation for persons with disabilities; monitor court data on the use of court services by persons with disabilities; and ensure ongoing public education and support for court access.

Create a System for Resolving Court Access Disputes

How will the court resolve disputes that arise about access to its programs and services? Courts must develop grievance procedures and designate an employee responsible for handling ADA grievances. The employee should facilitate voluntary compliance with the ADA, but when that is not achievable, he/she should look to dispute resolution. Both the ADA (Sec. 513) and the Title II regulations (29 CFR 35.176) encourage alternative means of dispute resolution to handle disputes under the ADA.

- **Revise the court's public grievance procedures** to include ADA complaints.
- **Designate an employee as "access ombudsman" or "ADA coordinator."** This individual should handle individual access questions or complaints; educate the public on court access; and advocate for access improvements. Train the ombudsman on the ADA and disabilities, collaborative problem-solving skills, mediation, and resources in the community.
- **Use the ADA coordinator of the local governmental unit** if staffing is a problem, but this approach may be less responsive and more time-consuming.

- **Consider existing mediation resources in the community.** For court access disputes that cannot be resolved through the grievance procedure, explore dispute resolution options within the community. Does the court system already have an in-house mediation program? Could this be a workable option? In addition to court programs, there are over 400 community mediation programs around the country. The American Bar Association's Standing Committee on Dispute Resolution has a directory of these programs. Also, the U.S. Equal Employment Opportunity Commission has trained 400 individuals around the country in mediation and the ADA. Call the EEOC to determine if one of these trained individuals is near the court and available to resolve access disputes.
- **Determine what court access disputes should be referred** to the dispute resolution system chosen. Set up a referral protocol. Determine what additional training in ADA and disability issues should be required for community mediators. Work with the community's disability agencies to assess training needs and provide training.
- **Consider mediation of court/local government differences** concerning accessibility of a court facility owned by the local government but used by the state judicial system. Can mediation result in a framework for future action on access mandates?

Paying for Accessibility: Funding Resources

Develop a Funding Strategy

After the access task force or court staff evaluates the accessibility of the court's programs and facilities, it should develop an accessibility plan. A funding strategy is a critical component of that plan. Accessibility changes can be assigned priorities so that key items with the most impact on enhancing assistance are completed as soon as possible. Realistically, low-cost changes also may be made before those requiring major investment. Assigning priorities to changes according to importance and cost will help the task force and court staff work with funders to develop a cost-effective strategy for enhancing access.

Many accommodations suggested in this Guide require little or no cost and thus may be implemented quickly. Examples include:

- **Maintenance.** Changing waxing procedures for slippery floors, securing carpets at edges, removing obstructing objects, raising counsel tables with blocks, replacing and upgrading light bulbs, adjusting counter heights.
- **Administrative tasks/programmatic changes.** Making cassette audiotapes and simple brochures to describe court services, adding segments on disability to existing staff training sessions, providing flash cards about access to court information staff, designing an emergency exit plan to include persons with disabilities, designing a caseflow management system to flag cases requiring accommodations and to permit flexible scheduling, relocating hearings to first-floor courtrooms.
- **Personnel.** Using existing staff (after appropriate training) to provide individualized assistance.

After reviewing accommodations that can be made at little or no cost, court managers and funders will be confronted with the unavoidable reality of paying for accessibility. Some changes — adding part-time personnel, hiring consultants, purchasing moderate-cost technology and making minor renovations — may require only moderate expenditures, but even moderate expenses can affect budget line-item requests. Other changes — major renovations such as installing elevators, redesigning a courtroom, or purchase of expensive technology such as real-time translation equipment or Braille printers — require relatively substantial outlays of funds and perhaps treatment as a capital expense.

Advocate for Funding

In seeking funding to enhance access, court personnel can advance their cause by enlisting key persons in the judiciary, other government branches and the community. Whether targeting the county board or the state legislature, cooperative efforts will be critical.

Support and networking by **judges** often may be the single most influential factor in advancing access budget requests. Encourage judges to see this activity as one that does not conflict with judicial ethics mandates. Instead, it should be viewed as a fundamental responsibility of providing equal access to justice. Judges may be reluctant to press for accommodations if they believe their operating budget will be depleted by expenditures for accessibility. Therefore, a strategy of pressing for separate access funds may reassure the judiciary and make them more effective advocates for financing. In addition:

- **State/local ADA coordinators** are key players. The ADA coordinator may be mounting a general access campaign for public buildings, of which courts could be a major element.
- The **disability community** should be involved. A court access task force or coordinating committee with broad membership will be particularly well positioned and well informed to testify and meet with key policymakers.

- Court managers need to **educate funders** about the reasons for improving access to the courts: demographics (growing disability and elderly populations); legal mandate of the ADA; and the expenses of non-compliance (costs of litigation, made even more expensive by the Civil Rights Act of 1991, which adds compensatory and punitive damages).
- **Courts should work closely with funders** such as a county board throughout the planning process. After the access task force or court staff evaluates the accessibility of the facility and services, court staff and judges should meet with the county board jointly to arrive at a course of action, which may require county appropriations over a number of years. A good working relationship between the court system and the county board may be the most realistic method of obtaining adequate funding.

Identify Additional Sources of Support

In times of budgetary constraints for state and local governments, state courts need to take a creative, imaginative look at other sources of funding for accessibility. Courts already are targeting numerous court-based or external revenue sources to pay for current services, but some of these sources could be earmarked to fund access changes. Possible sources include:

- increases in filing fees, court costs;
- increases in the charge for marriage certificates;
- increases in property taxes, transfer taxes, recordation taxes, inheritance taxes;
- increase in fines for moving traffic violations, parking meter violations or DUI;
- state lottery funds;
- “IOLTA” - Interest on Lawyers Trust Accounts; and

- a stronger system for recovery of unpaid fines, possibly using the county treasurer or volunteers to assist. (Some courts have found sufficient funds to purchase computer tracking systems in the increased revenues recovered with these systems.)

Other sources include:

- crime compensation funds, particularly for crimes committed against persons with disabilities or the elderly;
- increases in warrant and process-serving fees paid to the sheriff;
- “temporary surcharges” on taxes, fines or fees to fund one-time improvements;
- revisions in bank accounts and depositing procedures, including use of interest-bearing accounts for deposit of daily receipts; and
- contributions from other users of the court facility (such as social service departments and county administrators).

In addition, private contributions might assist in upgrading court accessibility. A bar association or foundation, for instance, might sponsor a “court access campaign” to raise funds. A number of state and local bar groups have disability committees that might spearhead such a project. A service organization, business group, civic group or disability group might initiate a funding drive, since the courthouse is a visible symbol of equality and justice for the whole community. For specific methods of raising private contributions, see **Innovative Grassroots Financing — A Small Town Guide to Raising Funds and Cutting Costs** (National Association of Towns and Townships, 1991).

Share with Other Public Entities

State courts are part of a local network of public buildings, as well as a state network of other courts and related judicial facilities. High-cost items need not be supported separately by

each individual court. Rather, the **cost can be shared** among cooperating entities. For instance, a locality might retain sign language interpreters or court reporters with real-time translating capabilities for use as the need arises in any of its activities. Similarly, a locality might purchase a real-time translation system or Braille printer for shared use by each of its entities.

In addition, state court systems could take advantage of economies of scale, purchasing expensive technology **in bulk** at a reduced rate. For instance, a state court administrator, or even several state court administrators together, could explore bulk purchases of assistive technology devices.

Finally, **leasing** rather than buying may be cost effective for courts seeking to improve access. Technology may change rapidly, and particularly with the advent of the ADA, quality may improve and costs decrease. Courts might benefit from leasing infrared systems, FM systems, Braille printers, or expensive wheelchair lifts.

Explore In-Kind and Volunteer Resources

Uses of volunteers are limited only by the imagination. Courts can draw on untapped sources of in-kind and pro bono contributions from diverse sectors of the community. Of course, volunteers who will have contact with persons with disabilities or with disability groups need guidance, training and supervision for work in court. But their assistance could make the critical difference in access to justice for persons with physical, communications or cognitive impairments. Innovative uses of volunteers might include:

- **Pro bono** carpenters, carpentry students, engineering students or architectural students to make minor renovations in courthouse structure, such as changes in the jury box, lowering of high public counters, improvements in the public information kiosk or counter, etc. Students could be supervised by professors, as well as court personnel.

- **Prisoners** to make minor renovations in courthouse structure. The jail may be co-located with the courthouse, making prisoners a ready source of affordable labor.
- **Community service workers** (whose court sentence includes a set number of hours of community service) to work on renovations or assist persons with disabilities in the courthouse.
- **Volunteers** from independent living centers, rehabilitation centers, or disability groups to advise on access, perform surveys, identify sources of expertise, serve as support persons in the court.
- **Volunteers** from the American Association of Retired Persons, Gray Panthers, Junior League, League of Women Voters, service organizations, or rehabilitation students, mental health students, nursing students, law students, social work students, etc., to provide information about the court at the information desk or provide tours of the court.
- **Students** and volunteers from universities to produce videos and cable TV spots, design forms and advise on graphic arts and pictorial representations.
- **Disability organizations** and groups to provide training for court staff.
- **Volunteers as readers** for persons with visual impairments, and as translators of material into Braille (National Library Service, Library of Congress has a list of volunteers in every state who produce Braille.)
- **Volunteer mediators** to assist in resolving access disputes.
- **Volunteer attorneys** to represent persons with disabilities in need of legal assistance.

- **Volunteers from professional associations** to serve in a variety of professional capacities.
- **Volunteers** to staff an access hotline, monitor the use of accessible parking spaces, or provide transportation to and from court.

Organizational Resources

Government Agencies

Civil Rights Division, Office of the Americans with Disabilities Act, U.S. Department of Justice, P. O. Box 66118, Washington, DC 20035-6118, (202) 514-0301 (voice), (202) 514-0383 (TDD). Regulations, technical assistance and enforcement for Titles II (public services) and III (public accommodations) of the ADA.

Equal Employment Opportunity Commission, 1801 L Street, NW, Washington, DC 20507, (800) 669-EEOC (voice), (800) 800-3302 (TDD). Regulations, technical assistance and enforcement for Title I (employment) of the ADA.

Architectural and Transportation Barriers Compliance Board, 1111 18th Street, NW, Suite 501, Washington, DC 20036, (800) USA-ABLE, (800) USA-ABLE (TDD). Technical assistance on architectural, transportation and communications accessibility issues. Will issue specific court guidelines under the ADA.

Administration on Aging, 330 Independence Ave., SW Suite 4760, Washington, DC 20201, (202) 619-0556. Administers funds and programs under the Older Americans Act, including transportation and legal assistance programs.

National Institute on Disability and Rehabilitation Research, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202-2572, (202) 732-1134 (voice), (202) 732-5079 (TDD). Administers the principal federal disability research programs and ADA technical assistance centers.

Disability Organizations

Cross-Disability

American Bar Association, Commission on Mental and Physical Disability Law, 1800 M Street, NW, Washington, DC 20036, (202) 331-2240 (voice), (202) 988-5168 (TDD). This interdisciplinary Commission produces the bimonthly journal, **Mental and Physical Disability Law Reporter**; conducts projects and provides technical assistance on the Americans with Disabilities Act, involuntary civil commitment, guardianship, estate and health planning, AIDS/HIV and the court-related needs of people with disabilities; and performs legal research for a fee.

Disability Rights Education and Defense Fund, 2212 Sixth Street, Berkeley, CA 94710, (510) 644-2555 (voice), (510) 644-2629 (TDD), (800) 466-4232 (voice and TDD). Training and technical assistance for people with disabilities and their representatives, state and local government units, business and trade associations. Public policy advocacy and litigation.

Disabled American Veterans, 807 Maine Avenue, SW, Washington, DC 20024, (202) 554-3501 (voice/TDD). Advises veterans of their rights, and employers of their obligations, under the Rehabilitation Act, the Americans with Disabilities Act, and legislation governing the employment and training of Vietnam-era veterans with disabilities. Provides information on recruitment sources for veterans with disabilities, removing architectural barriers, providing reasonable accommodations, and locating assistive devices. Makes referrals to providers of qualified readers, interpreters, and personal assistants. Has local chapters.

National Council on Independent Living, Troy Atrium, Fourth Street and Broadway, Troy, NY 12180, (518) 274-1979 (voice), (518) 274-0701 (TDD). Umbrella organization representing community-based inde-

pendent living centers. Will provide referral information on services offered by centers, and will locate the center closest to you.

National Organization on Disability, 910 16th Street, NW, Suite 600, Washington, DC 20006, (202) 293-5960 (voice), (202) 293-5968 (TDD). Mobilizes, supports and involves citizens and groups in working partnerships at local, state and national levels. Publishes list of liaisons employed by state organizations on disability. Has information hotline.

World Institute on Disability, 510 16th Street, Suite 100, Oakland, CA 94612, (415) 763-4100 (voice and TDD). Cross-disability research, training and policy development center.

Physical Disabilities

National Easter Seal Society, 70 East Lake Street, Chicago, IL 60601, (312) 726-6200 (voice), (312) 726-4258 (TDD). Through local affiliates, provides technical assistance and referral to employers and individuals with disabilities.

National Rehabilitation Association, 1910 Association Drive, Suite 205, Reston, VA 22091, (703) 715-9090, (703) 715-9209 (TDD). Facilitates communication among professionals working with persons with disabilities. Publishes guidelines on accessibility. Has local chapters.

Paralyzed Veterans of America, 801 18th Street, NW, Washington, DC 20006, (202) 871-1300 (voice), (202) 416-7622 (TDD). Provides on-site assessments and recommendations for removing or avoiding physical barriers. Has local chapters.

Hearing and Communication Impairments

American Speech-Language-Hearing Association, 10801 Rockville Pike, Rockville, MD 20852, (301) 897-5700 (voice and TDD), (800) 638-8522 (consumer hotline number, voice and TDD). Information and technical assistance on overcoming communications barriers: communication problems, interpreters, assistive devices, hearing aids, job modifications.

Association for Late-Deafened Adults, P.O. Box 641763, Chicago, IL 60664, (312) 604-4192 (TDD only). Provides self-help support groups, outreach, consultation, advocacy, communication enhancement through electronic captioning.

National Association of the Deaf, 814 Thayer Avenue, Silver Spring, MD 20910-4500, (301) 587-1788 (voice), (301) 587-1789 (TDD). Basic information and referral on deafness and accommodations for people who are deaf. Chapters in all 50 states.

National Captioning Institute, 5203 Leesburg Pike, Suite 1500, Falls Church, VA 22041, (703) 998-2400 (voice and TDD). Develops closed-captioning decoders and captions videos; conducts research on closed captioning and new technologies for hearing-impaired persons.

National Center for Law and Deafness, 800 Florida Avenue, NE, Washington, DC 20003, (202) 651-5373 (voice and TDD). Provides legal education on current and upcoming federal and state laws affecting individuals who are deaf or hard of hearing. Offers advice, technical assistance, and representation in solving legal problems to individuals who are deaf and hard of hearing. Provides information and publications on issues affecting individuals who are deaf and hard of hearing, including the ADA, employment, interpreters, and TDDs.

National Court Reporters Association, 8224 Old Courthouse Road, Vienna, VA 22182-3808, (703) 556-6272 (voice), (703) 556-6289 (TDD). Supports the concept of the Total Access Courtroom (TAC), which uses computer-aided transcriptions (CAT) to link the court reporter's stenotype machine to a computer, enabling reporters to provide an instant translation of their notes into English. This information then can be displayed on a monitor as real-time text or captions for hearing-impaired and deaf persons or used to produce a transcript in Braille. Can provide a list of certified real-time transcription court reporters and information on real-time technology.

National Information Center on Deafness, Gallaudet University, 800 Florida Avenue, NE, Washington, DC 20002, (202) 651-5051 (voice), (202) 651-5052 (TDD). Publications on workplace accommodations for people who are deaf; has list of manufacturers and up-to-date information on topics related to deafness and hearing loss; developing updated ADA materials on the employment of individuals who are deaf; will provide information on how to obtain the services of a qualified interpreter.

PUSH Literacy Action Now (PLAN), 1332 G Street, SE, Washington, DC 20003, (202) 547-8903. Provides information and assistance in designing forms and communication techniques.

Registry of Interpreters for the Deaf, 8719 Colesville Road, Suite 310, Silver Spring, MD 20910-3919, (301) 608-0050 (voice and TDD). Prepares and distributes national registry of certified interpreters of American Sign Language and transliterators of English. Has local chapters.

Self Help for Hard of Hearing People, Inc., 7800 Wisconsin Avenue, Bethesda, MD 20814, (301) 657-2249 (voice and TDD). Information and referral for consumers and professionals. Maintains Assistive De-

vices Demonstration Center featuring phone adaptations, visual alerts, TDDs, sound enhancement systems. Many publications. Has local chapters.

Telecommunications for the Deaf, Inc., 8719 Colesville Road, Suite 300, Silver Spring, MD 20910, (301) 589-3786 (voice), (301) 589-3006 (TDD). Publishes and sells a nationwide Telecommunications Device for the Deaf (TDD) directory; information on visually-based accommodations for deaf and hearing impaired people, such as alarms, decoders, and TDDs. Sells decoders and a videotape on how to use TDDs.

The Caption Center, 125 Western Avenue, Boston, MA 02134, (617) 492-9225 (voice/TDD). Provides closed captioning for videos, including training, safety, instructional, and educational films. Maintains a consumer information service for overcoming communications barriers in the workplace.

Vision Impairments

American Council of the Blind, 1115 15th Street, NW, Suite 720, Washington, DC 20005, (202) 467-5081 (voice only), (800) 424-8666 (Monday - Friday; 3:00 - 5:30 EST only). Advocacy, education and information sharing. Maintains special interest affiliates for blind professionals, e.g. American Blind Lawyers Association. Has local affiliates.

American Foundation for the Blind, 15 West 16th Street, New York, NY 10011, (212) 620-2000 (voice), (212) 620-2158 (TDD). Offers information on assistive technology; has listing of jobs held by blind persons indicating how adaptations were made in various employment situations.

American Printing House for the Blind, 1839 Frankfort Avenue, Louisville, KY 40206-0085, (502) 895-2405 (voice only). One of several braille publishers in the United States; also distributes materials in large print

and audio recordings; distributes instructional aids, education computer software, and textbooks for children.

National Braille Association, 1290 University Avenue, Rochester, NY 14607, (716) 473-0900. Transcribes manuals and other career-related materials for blind and visually impaired employees. Maintains collection of brailled technical and vocational information.

National Braille Press, 88 St. Stephen St., Boston, MA 02114, (617) 266-6160. Large scale production of braille materials. Maintains list of individual braille transcription services.

National Federation of the Blind, 1800 Johnson Street, Baltimore, MD 21230, (301) 659-9314 (voice only). Technical assistance, technology center, publications, aids and devices. Has local chapters.

National Library Service for the Blind and Physically Handicapped, Library of Congress, 1291 Taylor Street, N.W., Washington, DC 20542, (202) 287-5100 (Voice). Provides Braille and recorded materials to the public through network of libraries, service centers and lending agencies. Technical assistance.

Cognitive Impairments

Alzheimer's Disease and Related Disorders Assn., Inc., 919 North Michigan Avenue, Suite 1000, Chicago, IL 60611, (312) 335-8700, (312) 335-8882 (TDD), (800) 272-3900. The Alzheimer's Association is a national voluntary organization dedicated to providing support and assistance to Alzheimer patients and their families. Conducts research into the cause, treatment and cure of Alzheimer's disease, as well as ways to improve the care and management of Alzheimer's patients. Over 1600 support groups and 215 local chapters nationwide.

Mental Health Law Project, 1101 15th Street, NW, Suite 1212, Washington, DC 20005, (202) 467-5730 (voice), (202) 467-4232 (TDD). Advocates for persons with mental disabilities through litigation, legislative and administrative advocacy on the federal and state levels, technical assistance, information, referrals, training and publications. MHLP does not provide legal representation for individual clients.

National Alliance for the Mentally Ill, 2101 Wilson Blvd., Suite 302, Arlington, VA 22201, (703) 524-7600 (voice only). Represents primarily families of persons with mental illness. Has local affiliates.

National Association of Protection and Advocacy Systems, 900 Second Street, NE, Suite 211, Washington, DC 20002, (202) 408-9514 (voice), (202) 408-9521 (TDD). Represents federally funded protection and advocacy agencies and provides materials on the ADA to state programs. Can provide lists of state protection and advocacy agencies.

National Association of State Mental Health Program Directors, 66 Canal Center Plaza, Suite 302, Alexandria, VA 22314, (703) 739-9333. NASMHPD is comprised of state government agencies that administer public programs for persons with mental illnesses in the 55 states and territories.

The ARC (formerly Association for Retarded Citizens), 500 East Border Street, Suite 300, Arlington, TX 76010, (817) 261-6003 (voice), (817) 277-0553 (TDD). Technical assistance on mental retardation. Has regional offices and local chapters.

*Other Selected Organizations
with Expertise in Specific Disabilities*

AIDS Action Council/National AIDS Network, 2033 M Street, NW, Suite 802, Washington, DC 20036, (202) 293-2886.

Alcohol & Drug Problems Assn. of North America, 1555 Wilson Boulevard, Suite 300, Arlington, VA 22209, (703) 875-8684.

Alexander Graham Bell Association for the Deaf, Inc., 3417 Volta Place, NW, Washington, DC 20007, (202) 337-5220 (voice and TDD).

American Amputee Foundation, P.O. Box 250218, Hillcrest Station, Little Rock, AR 72225, (501) 666-2523.

American Chronic Pain Association, P. O. Box 850, Rocklin, CA 95677, (916) 632-0922.

American Cleft Palate Association, 1218 Grandview Avenue, Pittsburgh, PA 15211, (412) 481-1376.

American Diabetes Association, 1660 Duke Street, Alexandria, VA 22314, (703) 549-1500.

American Heart Association, 7272 Greenville Avenue, Dallas, TX 75231, (214) 373-6300.

American Lung Association, 1740 Broadway, New York, NY 10019, (212) 315-8700.

American Parkinson Disease Association, 60 Bay Street, Staten Island, NY 10301, (718) 981-8001.

Arthritis Foundation, 1314 Spring Street, NW, Atlanta, GA 30309, (404) 872-7100 or (800) 283-7800.

Autism Society of America, 8601 Georgia Avenue, Suite 503, Silver Spring, MD 20910, (301) 565-0433.

Council of Citizens for Low Vision International, 5707 Brockton Drive, #302, Indianapolis, IN 46220, (800) 733-2258.

Cystic Fibrosis Foundation, 6931 Arlington Road, Bethesda, MD 20814, (301) 951-4422 or (800) 344-4823.

Epilepsy Foundation of America, 4351 Garden City Drive, Landover, Maryland 20785, (301) 459-3700.

Helen Keller Center for Deaf-Blind Youth and Adults, 111 Middle Neck Road, Sands Point, NY 11050, (516) 944-8900 (voice and TDD).

Learning Disabilities Association of America, 4156 Library Road, Pittsburgh, PA 15234, (412) 341-1515.

Lupus Foundation of America, 4 Research Place, Suite 180, Rockville, MD 20850, (301) 670-9292 or (800) 558-0212.

Muscular Dystrophy Association, 3561 East Sunrise Drive, Tucson, AZ 85718, (602) 529-2000.

National Association for the Physically Handicapped, 4230 Emerick Street, Saginaw, MI 48602, (517) 799-3060.

National Center for Learning Disabilities, 99 Park Avenue, New York, NY 10016, (212) 687-7211 (voice), (212) 370-0837 (FAX).

National Council on Alcoholism and Drug Dependence, 12 West 21st Street, New York, NY 10010, (212) 206-6770.

National Down Syndrome Congress, 1800 Dempster Street, Park Ridge, IL 60068, (800) 232-6372.

National Head Injury Foundation, 1140 Connecticut Avenue, NW, Suite 812, Washington, DC 20036, (202) 296-6443 (voice only), (800) 444-6443 (families, consumers; voice only).

National Mental Health Association, 1021 Prince Street, Alexandria, VA 22314, (703) 684-7722.

National Mental Health Consumers' Association, 311 South Juniper Street, Room 902, Philadelphia, PA 19107, (215) 735-2465 (voice only), (215) 735-1273 (TDD), (800) 688-4226 (voice only).

National Spinal Cord Injury Association, 600 West Cummings Park, Suite 2000, Woburn, MA 01801, (617) 935-2722 (voice only).

Spina Bifida Association of America, 1700 Rockville Pike, Suite 250, Rockville, MD 20852, (301) 770-7222 and (800) 621-3141 (voice).

The Association for Persons with Severe Handicaps (TASH), 1600 Prince Street, Suite 115, Alexandria, VA 22314, (703) 683-5586 (voice/TDD).

United Cerebral Palsy Associations, Inc., 1522 K Street, NW, Suite 112, Washington, DC 20005, (202) 842-1266 (voice/TDD), (800) 872-5827 (voice/TDD).

Aging Organizations

American Association of Retired Persons (AARP), 601 E Street, NW, Washington, DC 20049, (202) 728-4200.

Legal Counsel for the Elderly (of AARP), (202) 662-4933.

American Bar Association, Commission on Legal Problems of the Elderly, 1800 M Street, NW, Washington, DC 20036, (202) 331-2297. (See p. iii for description).

American Society on Aging, 833 Market Street, Suite 516, San Francisco, CA 94130, (415) 543-2617.

The Center for Social Gerontology, 117 N. 1st Street, Suite 204, Ann Arbor, MI 48104, (313) 665-1126.

The Gerontological Society of America, 1275 K Street, NW, Suite 350, Washington, DC 20005, (202) 842-1275.

Gray Panthers, 1424 16th Street, NW, Suite 602, Washington, DC 20036, (202) 387-3111.

National Association of Area Agencies on Aging, 1112 16th Street, NW, Suite 100, Washington, DC 20036, (202) 296-8130.

National Association of Elder Law Attorneys, 655 N. Alvernon Way, Suite 108, Tucson, AZ 85711, (602) 881-4005.

National Association of State Units on Aging, 2033 K Street, NW, Suite 304, Washington, DC 20006, (202) 785-0707.

National Council of Senior Citizens, 1331 F Street, NW, Washington, DC 20004, (202) 347-8800.

National Council on the Aging, 409 3rd Street, SW, 2nd Floor, Washington, DC 20024, (202) 479-1200.

National Senior Citizens Law Center, 1815 H Street, NW, Suite 700, Washington, DC 20006, (202) 887-5280.

Older Women's League, 730 11th Street, NW, Suite 300, Washington, DC 20001, (202) 783-6686.

Alternative Dispute Resolution Organizations

American Arbitration Association, 140 W. 51st Street, New York, NY 10020, (212) 484-4060.

American Bar Association, Standing Committee on Dispute Resolution, 1800 M Street, NW, Washington, DC 20036, (202) 331-2258.

National Institute for Dispute Resolution, 1901 L Street, NW, Suite 600, Washington, DC 20036, (202) 466-4764 (Voice/TDD).

Judicial Organizations

National Center for State Courts, 300 Newport Avenue, Williamsburg, VA 23185, (804) 253-2000.

National Judicial College, Judicial College Building, University of Nevada, Reno, NV 89557, (702) 784-6747, (800) 25-JUDGE.

National Court Reporters Association, 8224 Old Courthouse Road, Vienna, VA 22182-3808, (703) 556-6272 (voice), (703) 556-6289 (TDD).

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Workbook, 1986, for a checklist format for many common modifications of public buildings, with cost estimates).

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Index to Action Steps by Kind of Impairment

P (physical): pp. 21-25, 28-34, 36, 37, 39-42

H (hearing): pp. 21-24, 27-37, 39-42

V (vision): pp. 21-25, 27-34, 36, 37, 39-42

C (cognitive): pp. 21-24, 27-32, 34-37, 39-42

S (speech/language): pp. 21-24, 27-32, 35-37, 39, 41-42

Reader Survey

The American Bar Association's Commissions on Mental and Physical Disability Law and Legal Problems of the Elderly would like to know what you think about this guide. Your comments will assist us in determining the guide's usefulness and tracking the implementation of the action steps. The results of this survey will be furnished to the State Justice Institute, which funded this project.

1. How useful will this guide be in encouraging your jurisdiction to improve the accessibility of your court?
2. Did you find the organization and format of the guide easy to use? What would you change?
3. How many persons read or will read this copy of the guide?
4. What did you like **best** about the guide and the action steps?



