
Judiciary Committee

HB 2903

Title: An act relating to providing equal access to courts for persons with disabilities.

Brief Description: Creating an access coordinator for the administrative office of the courts.

Sponsors: Representatives Lantz, Rodne, McCoy, Wallace, Moeller, Williams, O'Brien and Goodman.

Brief Summary of Bill
<ul style="list-style-type: none">Requires the Administrative Office of the Courts to create the position of court access and accommodations coordinator.

Hearing Date: 1/18/08

Staff: Trudes Tango (786-7384).

Background:

Both federal law, under the Americans with Disabilities Act of 1990 (ADA), and the state's law against discrimination prohibit discrimination by state and local government agencies based upon disability. In 2004, the United States Supreme Court ruled that courts have the affirmative obligation under the ADA to reasonably accommodate persons with disabilities in order to ensure their fundamental right of access to courts.

The Administrative Office of the Courts (AOC) has developed a Request for Reasonable Accommodation form for persons with disabilities to complete and return to the court. The form states that a request will be granted unless it is impossible or impractical for the court to provide the requested accommodation on the date of the proceeding and the proceeding cannot be continued without prejudice to a party. The form also states that a five day advance notice is generally required to review reasonable accommodation requests, but a response to an immediate need will be considered to the fullest extent possible.

Recently, a committee of the Access to Justice Board, called the Impediments to Access to Justice, developed a guide for judicial officers and court staff, entitled Ensuring Equal Access for

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

People with Disabilities. The guide sets out options, devices, and services currently available to courts and other agencies to implement their duty to provide reasonable accommodations to persons with disabilities, including sign language interpreters, readers for people with visual impairments, and personal assistants, appointment of counsel.

Summary of Bill:

Washington state courts are required to provide equal access to persons with disabilities. To assist the courts, the AOC must create the position of court access and accommodations coordinator. The coordinator shall:

- review the needs of courts statewide for training and other assistance required to provide access and accommodation for persons with disabilities;
- provide guidance and assistance upon request; and
- identify appropriate assistive devices for loan to courts, acquire those for which funds are provided, and establish a system for request, delivery, and retrieval of those devices.

In carrying out these duties, the coordinator must consult with persons with disabilities and must facilitate communication between the AOC and persons with disabilities and their representative groups.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.