

Status Report

The Improving Court Access Recommendations (1997) of the Standing Committee on Fairness & Access

(April 21, 2006 Draft)

CONTENTS

Court Administration (Recommendations Nos. 1 – 21)	1
Self-Assessment and Transition Plans (Recommendations No. 22)	7
Employment (Recommendations Nos. 23 - 25)	7
Programmatic Accessibility (Recommendations Nos. 26 – 28)	8
Training (Recommendations Nos. 29 – 36)	9
Procurement (Recommendations Nos. 37 – 39)	11
Signage (Recommendations Nos. 40 – 41)	11
Mobility Impairments (Recommendations Nos. 42 – 47)	12
Hearing Impairments and Deafness (Recommendations Nos. 48 – 50)	15
Vision Impairments and Blindness (Recommendations Nos. 51 – 53)	15
Communications Impairments (Recommendations Nos. 54 – 61)	16
Manipulation Impairments (Recommendations Nos. 62 – 66)	18
Mental Impairments (Recommendations No. 67)	19

COURT ADMINISTRATION

Improving Access Recommendation No. 1: The District of Columbia Courts' (Courts) volunteer program duties should include assistance to persons with disabilities as they access the Courts' facilities and programs.

The referenced volunteer program (i.e., the Courthouse greeters) has been discontinued. All court staff are expected to provide quality customer service, including assistance to persons with disabilities. Service is a fundamental value in the Courts' Strategic Plan and has been incorporated into employee performance requirements. The Courts' ADA Coordinator is available to advise personnel on services for those with disabilities.

However, the Downtown Business Improvement District's goodwill ambassadors are available to assist persons with arriving and entering the courthouse and leaving the courthouse, especially if they need assistance with securing public transportation. Information about the goodwill ambassadors is periodically provided to staff, as well as at the Courts' Information Center and Juror's Office. The contact information for the goodwill ambassadors is: (202) 624-1550 and the website is: <http://www.downtowndc.org/page.asp?pageid=2%7C12%7C88> .

Improving Access Recommendation No. 2: The Courts should prepare a policy statement pertaining to the Americans With Disabilities Act. The policy statement should be posted in prominent places, including the Information Desk in the atrium of the Moultrie Courthouse, the employee lounges, the intake counters, and the security stations.

An ADA policy has been drafted and will be presented to the Courts' Personnel Advisory Committee for review and consideration. Following review by the Personnel Advisory Committee the ADA policy statement will be submitted to the Joint Committee on Judicial Administration for approval. In addition, the Courts' Personnel Policies address ADA-related issues. Policy 600 - Equal Employment Opportunity, states that it is the policy of the Courts to provide equal employment opportunity for all persons, including persons with disabilities, and to prohibit discrimination with respect to employment, development, advancement, and treatment in employment.

Improving Access Recommendation No. 3: The Courts should update the *Comprehensive Personnel Policies* handbook to include the Courts' Americans With Disabilities Act policy.

See previous response.

Improving Access Recommendation No. 4: The Courts should observe "National Physical Disabilities Month" with appropriate activities that raise the awareness of its workforce and the public to attitudinal barriers and access to the Courts' employment, facilities, and services.

During the first "National Disability Employment Awareness Month", in October

2001, the Courts held an “Adaptive Technologies Exposition.” While the Courts have not conducted routinely activities to recognize the month, the current ADA Coordinator will identify ways to observe the month and to raise awareness starting in 2006.

Improving Access Recommendation No. 5: The Courts should establish a process for resolving, in a non-adversarial manner, ADA-related disputes of court employees, as well as court users and job applicants who are not court employees.

The Courts have a number of non-adversarial dispute resolution mechanisms available, including the employee mediation program, grievance procedures, and EEO processes. The Courts’ ADA Coordinator receives accommodation requests and works with managers in the divisions to ensure that the ADA-related issues of applicants, employees, and court users do not rise to the level of a dispute.

Improving Access Recommendation No. 6: The Courts should work with the D.C. Department of Public Works and the Metropolitan Police Department to establish the policy of ticketing and towing vehicles, including law enforcement vehicles that block sidewalk ramps or occupy accessible parking spaces designated for use by persons with disabilities, in the areas surrounding the Courts’ facilities.

For several years the Courts have worked with the Executive Branch of the D.C. Government to try to resolve these issues. Some of this work is captured in the D.C. Department of Transportation’s *Judiciary Square Traffic and Security Study*, which can be found on DDOT’s web page (<http://ddot.dc.gov/ddot/cwp/view.a.1249.q.616493.asp>). This parking problem is not going to be resolved easily. There are several factors that contribute to the existing situation. The Municipal Building does not have adequate capacity to accommodate the vehicles used by all of the law enforcement officers who have business in the courthouse or who work at 300 Indiana Avenue. In addition, MPD “garages” over 100 police vehicles by parking them in curb spaces on the streets. In addition, MPD has an arrangement with the Department of Public Works under which parking enforcement officers do not enforce parking regulations for either MPD vehicles or personally owned vehicles of law enforcement officers within a certain radius of a police station.

The Courts recently completed a Master Plan for Judiciary Square, which is an urban design plan that governs security, parking, landscaping, building and construction issues for the area. The Master Plan was approved by the National Capital Planning Commission and the Commission on Fine Arts in August 2005. As the Master Plan is implemented, the Courts are working with regulatory agencies and District government officials on accessibility for persons with disabilities and the provision of handicapped-designated parking in the Judiciary Square area.

Improving Access Recommendation No. 7: An “ADA Coordinating Council” should be established, consisting of the Chief ADA Coordinator, the Executive

Officer, the Clerks of the Court, the Administrative Officer, the Sign Language Interpreter, the Director of the Mental Retardation and Mental Health Branch, the D.C. Department of Public Works, the Juror Officer, the Director of the Personnel Management Division, the Court Services Specialist, a designated person from the D.C. Courts' Volunteer Program, and the General Counsel, who will manage implementation of the Courts' ADA strategy.

The D.C. Courts has appointed a Chief ADA Coordinator who coordinates ADA-related, requests, disputes, activities, and functions with the appropriate managers and committees. The Subcommittee on Improving Court Access of the Standing Committee on Improving Court Access was created by the Joint Committee on Judicial Administration to ensure that persons with disabilities have equal access to justice and to the courts as a place of employment.

Improving Access Recommendation No. 8: The Standing Committee should have oversight responsibility over the "ADA Coordinating Council" and should monitor the Courts' compliance with the ADA.

See previous response.

Improving Access Recommendation No. 9: The Courts' policy on the Americans With Disabilities Act should include a commitment to ensure that all construction and remodeling will be reviewed for compliance with the ADA.

See the response to Improving Court Access Recommendation No. 2.

Improving Access Recommendation No. 10: The Courts' policy on the Americans With Disabilities Act should also be addressed to the non-judicial organizations in the justice system that are located in the same facilities as the Courts. These agencies include Pretrial Services, the U.S. Attorney, and the Public Defender Service.

All tenant entities of the Courts will be provided a copy of the ADA policy once it has been adopted. In addition, the policy will be available on the Courts' website.

Improving Access Recommendation No. 11: The Courts should develop a process for informing the community about the strategies that it uses to enhance access for persons with disabilities. The information should include summaries of information contained in the self-evaluations and the transition plans, the technologies and equipment that is available, and the names and phone numbers of the ADA Coordinators.

The D.C. Courts' website provides information to the public about the technologies available at the Courts to enhance access for persons with disabilities. Contact information for the ADA Coordinator is provided on the website as well. The website addresses are:
<http://www.dccourts.gov/dccourts/about/accessibility.jsp> and <http://www.dccourts.gov/dccourts/about/standing.jsp>

Improving Access Recommendation No. 12: Jury management and case management systems should be reviewed for possible alteration or reprogramming to ensure that reasonable accommodations and other access issues are automated and managed.

Both the Courts' jury management and case management systems include capabilities to request and/or identify ADA accommodation issues. The jury summons provides information about some of the services and technologies available to make the trial court accessible as well as contact information for requesting an accommodation. The summons also gives the address for the Courts' website so that the juror qualification form and request can be sent electronically. The juror qualification form available on the court website immediately sends an email to the Jury Office if the potential juror requests an accommodation for a disability. Finally, the interactive voice response telephone system (IVR) provides another alternative for conducting business with the trial court ((202) 879-4604).

The Courts also developed a technology application for the Office of Court Interpreter Services which enhances the management of interpreters, including sign language interpreters for deaf jurors. In addition, CourtView, the new Integrated Justice Information System ("IJIS") case management system, is used to notify the Office of Court Interpreter Services when an interpreter is needed in a case.

Improving Access Recommendation No. 13: The Courts' facilities currently under construction or constructed after January 26, 1992, in the H. Carl Moultrie Courthouse should comply with all applicable laws and accessibility guidelines, including either the Uniform Federal Accessibility Standards (UFAS) or the Americans with Disabilities Act Accessibility Guidelines for Building and Facilities (ADAAG). For example, the judges' bench and chambers, the restroom facilities serving the judges' chambers, should provide accessible routes connecting these elements.

See response to Recommendation No. 9 above.

Applicable law distinguishes between new construction and existing facilities. There is no legal requirement for every element of a courthouse to be modified so that they are in compliance with the current access guidelines and codes. The Moultrie Courthouse, Building A, Building B, and Building D were all constructed before the effective date of the Americans with Disabilities Act. Nevertheless, all current D.C. Courts' major renovation and construction projects are designed to enhance access to court activities and facilities, and to meet ADA compliance requirements.

Examples include the accessibility features of the Public Office for the D.C. Court of Appeals facilities, including the front counter and the document reading alcoves. Another example includes the courtrooms, hearing rooms, and public spaces in the Family Court on the John Marshall Level. Some of the accessible features in these areas include: ramp to the bench, witness box and jury area on the same level as the well. In addition, a fire alarm system is being installed in the courthouses that will be ADA compliant and include strobe lights that can alert deaf occupants of the buildings.

Some of the accessible features of the new or refurbished courtrooms include: wheelchair lifts for the bench; increased lighting levels; acoustical treatments for the walls and ceilings; appropriate carpet padding for better wheelchair maneuverability; seating for wheelchair using spectators, jurors, and witnesses; and wheelchair accessible holding cells.

All 18 of the restrooms in the public corridors of the Moultrie Courthouse have been renovated. With only a couple of exceptions due to space constraints that could not be resolved, these restrooms are completely ADA compliant.

Improving Access Recommendation No. 14: The court system should disseminate information and literature that describe the options and the availability of handicapped parking for court users. These options should include public and private garages and lots, and fringe parking.

Information about parking is included on the Courts' website in the "Getting Here" section. However, the D.C. Courts urge people to use public transportation. This information is included on the website and on the juror summons. Information about the public parking facilities in the area, including the garage's or lot's name and contact information is provided by a link from the Courts' website to a comprehensive directory compiled and maintained by the Downtown Business Improvement District Downtown (BID) <http://www.downtowndc.org/page.asp?pageid=68174&se=parking> .

Improving Access Recommendation No. 15: The court system should cooperate with the Executive Branch agencies of the District of Columbia to determine if the number of handicapped parking spaces on public property in the area of the Courts' facilities meets applicable guidelines, (e.g., parking spaces adjacent to the courthouse).

The Courts have worked with the executive branch of the D.C. Government concerning this issue because the number of accessible parking spaces in the area is inadequate. For example, as of August 2004, there were a total of seven handicapped restricted parking spaces in the area bounded by H, Sixth, and Third streets and Pennsylvania Avenue. One (out of 84 spaces) on Fourth Street, three (out of 110 spaces) on C Street, one (out of 78 spaces) on E Street, and two (out of 72 spaces) on F Street. Since August 2004 the number of handicapped parking spaces may have decreased due to construction-related sidewalk and street lane closures. (See Figure 6a: Parking by Type, page 23, District of Columbia Department of Transportation & HNTB, *Existing Conditions Report: Judiciary Square Transportation and Security Study* (August 2004) http://ddot.dc.gov/ddot/frames.asp?doc=/ddot/lib/ddot/clayimages/existing_conditions_report_final.pdf (See response to Recommendation No. 6 above.)

More recently, Court staff walked the area around the Moultrie Courthouse with District of Columbia Department of Transportation planners and traffic consultants and demonstrated the challenges and barriers (e.g., elevations, impaired sightlines caused by double and triple parked cars) that are faced by persons who use a wheelchair, who are blind, or who have mobility or other

disabilities. As a result, the District's *Judiciary Square Traffic and Security Plan* calls for one parking space that will be reserved exclusively for the vehicles transporting persons who have Mental Health and Mental Retardation matters before the Courts.

The D.C. Courts provide parking as an ADA accommodation to physically disabled personnel of the Courts as well as to disabled staff of criminal justice agencies who work in the courthouse.

Improving Access Recommendation No. 16: The location of the Information Desk should be made more apparent. The Information Desk should provide brochures in different languages and in alternative media, such as Braille, which explain how the court system works and what accommodations are available. Hospitality persons attending to the public at the Information Desk should be trained to assist persons with disabilities.

Renovation of the Information Center was completed in 2005 and brighter and more prominent signage was installed. Multilingual information about the D.C. Courts and its services and available accommodations is provided on the Courts' website in Amharic, Spanish, Chinese, Korean, and Vietnamese. During 2006 the Courts will be installing a number of public information kiosks throughout court facilities which will provide access to the Courts' website. Printed multilingual documents are provided at the counters and in offices throughout the courthouses. Informational materials are available in Braille for blind jurors in the Jurors' Office. As explained in the response to Improving Access Recommendation No. 1, the hospitality program (*i.e.*, Courthouse greeters) is no longer an on-going program of the D.C. Courts.

Improving Access Recommendation No. 17: The court system should research the availability of funding to pay for the costs of implementing these recommendations.

Each year, the Courts' budget request includes funds for court operations and capital projects. The Courts' operating budget has financed numerous projects and ongoing operations that enhance fairness and access, including, for example, creating the Courts' website, providing interpreter services, translating court forms and documents, operating the Family Court and Landlord Tenant self-help centers, and training staff. In addition, enhancing accessibility and ADA compliance is an element of all capital projects.

Improving Access Recommendation No. 18: A procedure needs to be developed that can be used to flag a case requiring special services. For hearing loss, the Personnel Management Division and attorneys using the court can attach a broken ear sticker, which is the International Symbol of Access for Hearing Loss.

CourtView, the Courts' new IJIS case management system, is capable of being used in this manner.

Improving Access Recommendation No. 19: Flagging of cases should start with police or jury duty summons (e.g., attorney identifying special needs or person

self-identifying).

In the case of jurors, this is done. (See response to Recommendation No. 12 above). In the case of criminal cases, CourtView can be used for this purpose, but not at the stages where the defendant is still in police custody pending arraignment.

Improving Access Recommendation No. 20: Informational brochures for handouts and mailings need to be developed. This information should be provided with or included on the notice to serve, etc.

Information about access for persons with disabilities is provided on a page devoted to the topic on the Courts' website.

(<http://www.dccourts.gov/dccourts/about/accessibility.jsp>) Informational materials were developed by the ADA Coordinator and distributed. In the case of jurors see the response to Recommendation No. 12.

Improving Access Recommendation No. 21: The Courts should establish a policy that allows for the access of hearing-assist dogs. All court personnel should be made aware that under the ADA hearing-assist dogs have the same legal rights of access as guide dogs for the blind.

Service animals are allowed in the D.C. Courts. In addition, training has been provided to both court security staff and court employees, so that they are now aware that service animals are not limited to seeing eye dogs for the blind.

SELF-ASSESSMENTS AND TRANSITION PLANS

Improving Access Recommendation No. 22: The program transition plan should include the plan for accessibility of information for and during court events that are open to the public.

This was done. Sign language interpreters, foreign language interpreters or interpreting devices, and Communication Access Realtime Transcription (CART) are used at public court events when needed and upon request.

EMPLOYMENT

Improving Access Recommendation No. 23. The Personnel Management Division should provide information about job vacancies in alternative formats and should make this service known to the disabled community. The notices of job vacancies, in appropriate alternative formats, should be sent to organizations for persons with disabilities.

Information about job vacancies at the D.C. Courts is disseminated by the Human Resources Division in several alternative formats, including word processed attachments to email messages, a telephone job line, interactive fax back, and the websites, including the Courts' Intranet and Internet sites. Job vacancy announcements also are posted on a variety of websites and are sent to numerous organizations, agencies, and educational institutions of higher learning, including Gallaudet University, the Mayors' Committee on Persons With Disabilities, and the U.S. Office of Disability Employment of the

Department of Labor..

Improving Access Recommendation No. 24: The Courts should devise a strategy to recruit, hire, train, and retain persons with disabilities.

The D.C. Courts distributes its job announcements widely to organizations, agencies, and institutions of higher learning, including Gallaudet University, the U.S. Office of Disability Employment, and the Mayor's Committee on Persons With Disabilities. The D.C. Courts provide reasonable accommodations in applicant testing, conduct structured interviews, and provide legal guidance to supervisors and managers.

Improving Access Recommendation No. 25: All appointments should be consistent with the Courts' ADA policy and the law.

The D.C. Courts comply with all applicable laws and policies in recruiting, appointing, promoting, disciplining, and terminating employees.

PROGRAMMATIC ACCESSIBILITY

Improving Access Recommendation No. 26. Reasonable accommodations and the Courts' response to reasonable accommodations requests should be tracked and analyzed.

Most requests for reasonable accommodations are resolved informally in the various divisions, branches, and offices throughout the Courts. The Courts track and analyze the small number of formal requests for reasonable accommodations, as well as the responses that come each year to the attention of the Chief ADA Coordinator. For example, according to the *1998 D.C. Courts Annual Report*, the ADA Coordinator analyzed accommodation requests to identify staff educational needs and prepared materials that addressed these needs. The ADA Coordinator keeps a record of all requests for accommodation and issues reports periodically to the Executive Officer.

Improving Access Recommendation No. 27: The Courts should recruit, hire, and train persons from underrepresented groups, such as persons with disabilities, Asian-Pacific Americans, and Hispanics, who can enhance access to the Courts, particularly in "first contact" court positions.

All public offices in the Superior Court have at least one bilingual designated position. The Courts' efforts to recruit and hire persons from underutilized groups are documented in its affirmative action plan. For example, some of the Courts' positions where the need for bilingual skills has been demonstrated (e.g., probation officers, Crime Victims Compensation & Domestic Violence staff, Landlord Tenant courtroom clerk) have been designated as "bilingual positions" and filled with persons who are bilingual or proficient in English and a second language, which is typically Spanish. The bilingual position program has been very successful in both attracting the target groups and enhancing customer service. The Human Resources Division has a bilingual (Spanish) recruiter who serves as liaison and recruiter to the Hispanic community as well as another staff person who is bilingual (Vietnamese).

Improving Access Recommendation No. 28: The Courts will consider as a reasonable accommodation (and as quality customer service), improving access to forms by eliminating the need for disabled attorneys and other court users to make a trip to the courthouse to get forms. These alternative access strategies should include making the forms available on computer floppy diskettes, delivery by mail, using the polling features on existing fax machines so that the person needing the form can call in on their fax machines for it, and making the forms available over the Internet.

Forms are available on the websites of the D.C. Courts and the D.C. Bar. In addition to the website, e-filing is used for the Civil 1 calendar and will be expanded for other case types upon full transition to the new case management system.

TRAINING

Improving Access Recommendation No. 29. The Courts should prepare a self-assessment and transition plan for improving accessibility to the Courts' services and programs.

The D.C. Courts first ADA self-assessment was completed by January 1993, the period allowed under the ADA. The second ADA self-assessment was conducted in late 1996 and early 1997.

Improving Access Recommendation No. 30: The Center for Education, Training, and Development and the Chief ADA Coordinator should design and implement training for managers and staff that will address employment issues and accessibility problems to the Courts' facilities and services.

This training has been provided and additional training will be conducted in this area.

Improving Access Recommendation No. 31: Training for Judges and Hearing Commissioners should be conducted. This training should provide information about barriers faced in the Courts by persons with disabilities, strategies and technologies the Courts use to eliminate the barriers, and to sensitize the judges about the limitations of the facilities in the jury rooms, such as assistive listening devices and restrooms that can be accessed by wheel chair using jurors.

This training has been provided.

Improving Access Recommendation No. 32: Information pertaining to compliance with the ADA should be distributed to every division of the Courts. This information should include reference material, self-study training books and videos, and reports prepared for the Courts by organizations such as the American Bar Association.

Information responsive to the Courts' needs has been developed and provided to staff. Additional information is available to staff on various websites, including the sites of the U.S. Access Board, the National Center for State Courts, the Department of Justice, and the Equal Employment Opportunity

Commission. The ADA Coordinator periodically sends memoranda to the court community and posts notices on the Courts' intranet directing readers to these resources.

Improving Access Recommendation No. 33: The Courts should secure training for a limited number of its staff who have a need for highly technical information. Such staff would include Administrative Office managers, the General Counsel, the managers of the Jurors' Office, the D.C. Department of Public Works, the managers of the trial and appellate courts, the Court Services Specialist, and the staff in the Personnel Management Division.

As part of the Courts' performance management program all personnel participate in at least 10 hours of training annually. The Chief ADA Coordinator requires more detailed or technical knowledge which is obtained through annual meeting and conference attendance, including U.S. Access Board, the U.S. Courthouse Access Advisory Committee, and the National Association of ADA Coordinators.

Improving Access Recommendation No. 34: TDD/TTY devices should be put into place, and the staff should be trained in how to use the devices.

TTD/TTY devices were installed in offices throughout the Courts and training was provided to staff. In June 2005, additional training on using the devices as well as using telephone relay services, the internet, and text messaging devices was provided by Hamilton Relay.

Improving Access Recommendation No. 35: Education and training about the ADA should include strategies that help to implement the prohibition in the Code of Judicial Conduct against discriminating against persons with disabilities.

This training is provided.

Improving Access Recommendation No. 36: Training of court personnel and staff should include making and receiving a "relay call". A relay call is the use of a go-between, a trained telephone operator (Communications Assistant), who relays the conversation between the a person who is deaf or hard of hearing (TTY caller) and the recipient of the call (court personnel).

Initial training was provided in 1996 to 1998. Training on this specific topic was last provided in June 2005.

PROCUREMENT

Improving Access Recommendation No. 37. The Courts' policy on the Americans With Disabilities Act should address the procurement process.

The D.C. Courts have their own Procurement Policy which was recently revised and approved by the Joint Committee. It is modeled on federal procurement procedures, commonly known as the Federal Acquisition Requirements System (FAR).

Improving Access Recommendation No. 38: The Executive Office should review the procurement process to ensure that its processes and forms ensure compliance with the ADA.

See previous response.

Improving Access Recommendation No. 39: The Executive Office should review existing major contracts to determine if they comply with the ADA.

See previous response.

SIGNAGE

Improving Access Recommendation No. 40. New signage for the Courts should not be limited to mere design issues. A complete audit should be conducted by a company specializing in signage systems to develop a comprehensive system for the Courts. This signage system should include providing directions to information desks and facilities that are heavily visited, providing multilingual signage, addressing accessibility issues such as Braille and large type, location of entrances with ramps and lifts, location of telephones with keypads, providing information for accessing the secured corridors, providing information to blind court users about Braille signage, and addressing usage by persons with cognitive disabilities.

"It is the policy of the District of Columbia Courts to use a standardized signage system to enhance public access," according to the signage policy approved by the Joint Committee on Judicial Administration in the District of Columbia Courts in June 2005. In accordance with this policy, the Courts have been working with signage experts to prepare a comprehensive and ADA compliant signage package. New signage has already been installed in Building B, Gallery Place, and the John Marshall and Indiana Avenue levels of the Moultrie Courthouse. New signage is scheduled to be installed in the other floors of Moultrie as renovations proceed. Moultrie Courthouse directories are currently in production. These directories focus on offices used by the public and highlight areas of particular importance, such as the Information Center. They include Spanish translations and utilize symbols to identify key facilities, such as elevators and restrooms. In addition, campus signage is in development to help the public navigate the court facilities in Judiciary Square. These signs will identify accessible entrances to the Courts' buildings.

Improving Access Recommendation No. 41: Visual directions for getting around the courthouse, including where or from whom to seek help, need to be provided throughout the courthouse. Signs should include visual symbols of the available accommodations.

See previous response.

MOBILITY IMPAIRMENTS

Improving Access Recommendation No. 42. The telephones located at the entrances to the secured judicial corridors should be lowered to the proper height to address compliance with the ADA's architectural guidelines.

The telephones were replaced with intercoms, which since have been replaced with a new security system. This equipment is placed at the correct height for meeting ADA accessibility guidelines.

Improving Access Recommendation No. 43: The step between the courtroom and the lock-up serving each courtroom should be eliminated. If this is not possible, ramps should be available to allow attorneys in wheelchairs to visit with clients in the lock-up.

The newly constructed courtrooms in the Moultrie Courthouse do not have this step and future courtrooms will not have this step. In the early 2000's the step was removed from all of the courtrooms where space allowed this to be done.

Improving Access Recommendation No. 44: The Court System and the Superior Court should consider as a reasonable accommodation, having a cordless microphone available for disabled attorneys who may need it in order to address a jury. The cordless microphone should be linked to the infrared assistive listening device (ALD) as well as the public address system.

When the new sound system was installed in the courtrooms in mid-2005, a boundary microphone was installed on the front of the judges' benches, so that anybody speaking from the well of the courtroom, is amplified through the courtroom public address and recording systems.

Improving Access Recommendation No. 45: Accessible sinks in the public bathrooms with broken lever-type faucets should be fixed.

This situation was addressed when all of the public restrooms in the Moultrie Courthouse were renovated. Routine maintenance is conducted on the restrooms.

Improving Access Recommendation No. 46: Either an effective and timely maintenance and repair program must be established for the wheelchair lift at the John Marshall entrance or the lift should be replaced with a new one that operates more reliably.

The wheelchair lift that is currently in place is new. It was installed during the alterations for the Family Court. The Courts plan to remove the steps at the John Marshall entrance and replace them with a ramp in June 2006. Once this has been done the wheelchair lift will not be needed. The Courts have a commercial contract for routine maintenance and emergency repairs for the lifts at the John Marshall Level entrance of the courthouse and for those lifts located in the courtrooms.

Improving Access Recommendation No. 47: At least two courtrooms, the jury deliberation room (and the rest rooms and water fountains serving them) should be made accessible and in compliance with Americans with Disabilities Act

Accessibility Guidelines for Building and Facilities (ADAAG). An accessible route should be provided to connect these elements, as well as the courtroom clerk stations and witness stands. The jury box should be modified to accommodate at least one wheelchair.

See response to Recommendation No. 13 above. Several courtrooms in the Moultrie Courthouse and Building B and their allied spaces are accessible.

Examples in the D.C. Court of Appeals include:

- ? A temporary, removable ramp to the bench has been prepared and can be deployed when necessary.
- ? Counsel tables have been altered by a cabinetmaker to accommodate attorneys who use a wheelchair or scooter.
- ? Renovations have increased the lighting level.
- ? An ADA-compliant fire alarm system (with strobe lights) is being installed.
- ? A new sound and recording system that is compatible with the Courts' portable assistive listening devices.
- ? A lapel microphone can be used by attorneys who use a wheelchair or scooter.
- ? Automatic door openers have been installed on the doors to the public restrooms.
- ? Signage has been posted for the route to the area of rescue assistance.
- ? Signage has been posted for the area of rescue assistance

Examples from the Superior Court include:

JM-1 and JM-4: These courtrooms were installed in reprogrammed space on the John Marshall Level in 1998. These courtrooms are an early example of the Courts' effort to enhance access in a courthouse renovation. The accessible elements of these courtrooms include:

- ? The clerk's workstation as well as the first row of seating in the jury box is at floor level to eliminate the need for a step.
- ? Wheelchair accessible routes to the jury deliberation room, secure corridor, holding cell, and in the well of the court.
- ? Removable witness stand to accommodate a witness who uses a wheelchair.
- ? Lowered bench to improve sightlines and reach.
- ? Wheelchair lift at each judge's bench.
- ? There is a pass-through between the judge's bench to the courtroom clerk's workstation to accommodate a clerk who uses a wheelchair.
- ? Two removable chairs in the jury box can provide space for wheelchairs.
- ? Increased lighting level throughout the courtroom.
- ? ADA compliant fire alarm (strobe lights).
- ? Acoustical treatment on the walls.
- ? Microphone picks up anyone speaking in the well.
- ? The door closures on the two sets of doors to the public corridor have been adjusted so that they maintain the force needed to open the door that is mandated under the accessibility guidelines.

- ? Space for wheelchair transfer seating (and companion) in the spectator gallery.
- ? There is no gate between the spectator gallery and the well of the court.
- ? Portable IR assistive listening device (ALD) can be plugged into the sound/recording system.

JM-2 and JM-3: These courtrooms have all of the accessible features mentioned in the section above for JM-1 and JM-4, except that they do not have wheelchair lifts for the bench. Due to the space constraints of the courthouse each courtroom could not be designed to accommodate a lift.

JM-8, JM-12, and JM 13: These are the newest courtrooms in the Moultrie Courthouse having been constructed in 2003 for the new Family Court on the east side of the John Marshal Level. These courtrooms display how the Court has greatly improved the implementation of the accessibility guidelines through design. Many of the accessible elements are similar to our earlier attempts, however, some of the improvements include:

- ? The clerk's workstation and the witness stand are on the same level as the well of the court.
- ? All judges' benches are accessible via a ramp that is located behind the bench in the private corridor.
- ? The adjacent conference room (which can be converted to a jury deliberation room) has an accessible restroom.
- ? The clearances for movement throughout the space are improved and maximized.
- ? The ADA compliant fire alarms with strobe lights are of the latest technology and design.
- ? The judge's bench is properly lowered not only to improve sightlines, but also to create a more family friendly environment.
- ? Acoustical treatment is on the walls.
- ? Microphones pick up anyone speaking in the well of the court.

JM-9, JM-10, and JM-11: These courtrooms were constructed in 2003 as part of the new Family Court. They are considered courtrooms rather than hearing rooms because they are larger and more accommodating than the Moultrie Courthouse's traditional hearing rooms. These courtrooms have most of the accessibility features mentioned in the other new construction (JM-8, JM-12, JM-13), except due to space constraints only JM-9 has an accessible bench.

HEARING IMPAIRMENTS AND DEAFNESS

Improving Access Recommendation No. 48: Purchase only captioned video tapes and assure that all televisions in the courthouse have caption decoding.

The video used in the juror's lounge is captioned and the televisions provided in the courthouse have caption decoding.

Improving Access Recommendation No. 49: Reserve front row seats for people who are hard of hearing or deaf.

It is impracticable to routinely reserve space in public courtrooms for spectators. Seats can be reserved on a case-by-case basis, when necessary. The Chief ADA Coordinator is available to work with chambers to facilitate such requests.

Improving Access Recommendation No. 50: Ensure that equipment and furniture do not interfere with the line of sight for persons who are hard of hearing or deaf who rely on lip reading.

This issue is addressed on a case-by-case basis and has been addressed in staff training.

VISION IMPAIRMENTS AND BLINDNESS

Improving Access Recommendation No. 51: The information on the electronic display board in the atrium of the Moultrie Courthouse, which gives the courtroom and hearing room assignments of the judicial officers, should be made available in an alternative format for visually-impaired court users and attorneys.

Information on courtroom and hearing room assignments is provided verbally by staff at the Information Center. It is also available on the Courts' website.

Improving Access Recommendation No. 52: Information that is posted, in printed form, on the doors of the courtrooms, including critical information such as changes in courtroom assignments, should be made available for visually-impaired court users and attorneys in alternative format, such as Braille.

See response to Recommendation No's. 40 and 41 above regarding the court signage policy.

Improving Access Recommendation No. 53: Signage around the Courts' facilities should include Braille and other appropriate raised symbols.

See response to Recommendation No. 41 above.

COMMUNICATION IMPAIRMENTS

Improving Access Recommendation No. 54. TDD/TTY phone numbers should be placed on business cards, fax coversheets, publications, reports, and stationary letterhead used by the Courts' managers and staff, as well as listed alongside the voice number in the telephone directory.

A link to the Courts' TDD/TTY directory appears at the bottom of every page of the Courts' website. A TDD/TTY directory is also included in the Courts' internal telephone directories.

Improving Access Recommendation No. 55: The Courts should research whether "real time" transcription should be utilized, since real time transcription

can enhance access for hearing impaired and deaf court users. If real time will enhance access for those people with such disabilities, the court will likely need to increase the number of court reporters who have real time skills.

The Court Reporting and Recording Division has been providing realtime and CART services for many years. The division plans to increase the number of court reporters who provide realtime.

There is a difference between realtime transcription and Communication Access Realtime Translation (CART). Realtime is a service offered for a fee to attorneys and litigants for the purpose of presenting their cases. CART is used for hearing impaired or deaf jurors or litigants. The following two definitions should clarify.

“The Court’s Official Court Reporters are charged with preparing an accurate, complete, and secure official record of the proceedings. The proceedings include a verbatim record of the testimony but do not include the inflection and spirit of speakers or environmental sounds. Using realtime technology, this record is instantly available to all judicial participants. A realtime-capable official reporter converts stenographic notes into English text automatically, and this text is immediately displayed through litigation-support software on any computer screen in the courtroom, such as laptops set up at the counsel table or a monitor built into the judge's bench. Judges have instant access to the unofficial court record for purposes of review, and attorneys can annotate and highlight the uncertified transcript as it appears on their computer screen for later use. This is a service that is paid for by one of the parties involved in the proceeding.” *Communication Access Realtime Translation (CART) in the Courtroom: Model Guideline*, A Joint Project by the American Judges Foundation and the National Court Reporters Foundation (September 18, 2002).

“At the center of communication access in the courts are [Communication Access Realtime Translation] (CART) providers/interpreters, who ensure equal access to courtroom proceedings. CART is based on realtime technology. The CART provider/interpreter works along with the official court reporter but in a distinct role. While the official reporter provides the official record of proceedings, the CART provider/interpreter assumes an interpretive rather than an official role. Using the instant steno-to-English translation and screen-transmission capabilities of realtime technology, the CART provider/interpreter captures not only the words, but also the spirit of the proceedings and environmental sounds. For example, if anyone laughs in the courtroom or the proceedings are disrupted by sounds or other disturbances, CART providers/interpreters include this in their unofficial, on-screen text display.” *Communication Access Realtime Translation (CART) in the Courtroom: Model Guideline*, A Joint Project by the American Judges Foundation and the National Court Reporters Foundation (September 18, 2002).

Improving Access Recommendation No. 56: There should be no question of “whether real time transcription should be promoted...” Real time transcription needs to be provided because people with late-onset hearing loss cannot use sign language interpreters or assistive listening systems because they are dependent on receiving information visually and in text form.

See previous response.

Improving Access Recommendation No. 57: The Courts should address accessibility problems to the secured judicial corridors by court users who are either deaf or hearing-impaired.

The issue is addressed programmatically if the deaf or hard-of-hearing person contacts either the Office of Court Interpreter Services, the ADA Coordinator, or the chambers or office that he or she is visiting. In addition, the new entry system to the secure corridors gives a visual cue when the Court Security Officer provides access to the secured corridor.

Improving Access Recommendation No. 58: The Courts should make available assistive listening devices (ALD), such as installed and portable infrared, to court users who are hard of hearing. The ALD devices should be available for trials, hearings, and other courtroom proceedings, court-sponsored events, meetings, conferences, and in the Juror’s Office. Infrared systems, portable and installed, are preferred for the Courts to protect confidentiality. These systems are needed by people who do not use sign language and who have some residual hearing but may not use hearing aids.

The Courts have the devices available and deploy them on a regular basis. Signage informing court users that the devices are available is posted outside of every courtroom. Information about the equipment is also posted on the Courts’ website and can be requested in advance from the Central Recording Office.

Improving Access Recommendation No. 59: ALD’s must be maintained to ensure that the systems are working properly in each courtroom. Different couplings should be made available for use with the ALD’s, including headsets, neck loops, and cochlear implant adapters.

Currently, the Courts have headsets and neck loops.

Improving Access Recommendation No. 60: It is necessary that people who are hard of hearing be involved in the testing of assistive listening devices BEFORE they are purchased and installed, to ensure that they work and to check for interference throughout the courthouse.

Deaf persons have provided the Courts information about the devices.

Improving Access Recommendation No. 61: Public phones should have volume controls.

The D.C. Courts have public telephones that have volume controls. Appropriate signage that notes their location is provided.

MANIPULATION IMPAIRMENTS

Improving Access Recommendation No. 62: Doorknobs should be replaced with levers on doors accessible to the public and on doors in the secured, judicial areas of the Courts' facilities.

This recommendation was addressed in 2001 when the Courts replaced with levers all doorknobs on the doors to the secured corridors from the public corridors. The Courts use levers in all major renovations and new construction.

Improving Access Recommendation No. 63: A lever-type door handle should be installed on the door at the accessible entrance to Building A, located at 515 Fifth Street.

Building A is currently under renovation and accessibility issues will be addressed during the construction.

Improving Access Recommendation No. 64: Automatic door openers should be installed on the inner doors and outer doors in all of the courtrooms of the District of Columbia Court System.

Funding is currently not available to replace the existing courtroom doors. Also, see the response to Improving Access Recommendation No. 65.

Improving Access Recommendation No. 65: The door opening force on all interior doors and gates should be reduced to no greater than five pounds.

This issue was addressed in the Moultrie Courthouse when new courtrooms were built and existing courtrooms were renovated. New hardware was used for these projects that is better at keeping the proper opening force adjustment.

Improving Access Recommendation No. 66: Each counter at which information, documents, and services are provided and received (e.g. in clerks' offices and jurors' office) should have a 36-inch long segment lowered to a height no greater than 36 inches, or should be modified with an auxiliary counter of the same dimensions. Portable counter loops should be provided for use by court users who are hard of hearing. Signs need to be placed to alert people of their availability.

Most of the public counters in the Moultrie Courthouse has been modified. Programmatic access is provided by staff on an as needed basis in the offices where counters could not be altered. Most of the counters that have not been altered are in areas for which major renovation is planned.

MENTAL IMPAIRMENTS

Improving Access Recommendation No. 67: The Courts should identify resources for the *Standing Committee* to work with in addressing issues pertaining to the elderly and persons with mental or cognitive disabilities, or both, in the near future.

The Courts have worked with the D.C. Commission on Aging and the AARP.