

CALIFORNIA CONFERENCE ON SELF-REPRESENTED

INTERACTING AND COMMUNICATING WITH PERSONS WITH DISABILITIES

2011 CONFERENCE
San Francisco

PRESENTER:

Linda McCulloh
Senior Attorney
Administrative Office of the Courts
Education Division



California Rules of Court (Revised January 1, 2011)

Rule 1.100. Requests for accommodations by persons with disabilities

(a) Definitions

As used in this rule:

- (1) "Persons with disabilities" means individuals covered by California Civil Code section 51 et seq.; the Americans With Disabilities Act of 1990 (42 U.S.C. §12101 et seq.); or other applicable state and federal laws. This definition includes persons who have a physical or mental impairment that limits one or more of the major life activities, have a record of such an impairment, or are regarded as having such an impairment.
- (2) "Applicant" means any lawyer, party, witness, juror, or other person with an interest in attending any proceeding before any court of this state.
- (3) "Accommodations" means actions that result in court services, programs, or activities being readily accessible to and usable by persons with disabilities. Accommodations may include making reasonable modifications in policies, practices, and procedures; furnishing, at no charge, to persons with disabilities, auxiliary aids and services, equipment, devices, materials in alternative formats, readers, or certified interpreters for persons with hearing impairments; relocating services or programs to accessible facilities; or providing services at alternative sites. Although not required where other actions are effective in providing access to court services, programs, or activities, alteration of existing facilities by the responsible entity may be an accommodation.

(Subd (a) amended and relettered effective January 1, 2007; adopted as subd (b) effective January 1, 1996; previously amended effective January 1, 2006.)

(b) Policy

It is the policy of the courts of this state to ensure that persons with disabilities have equal and full access to the judicial system. To ensure access to the courts for persons with disabilities, each superior and appellate court must delegate at least one person to be the ADA coordinator, also known as the access coordinator, or designee to address requests for accommodations. This rule is not intended to impose limitations or to invalidate the remedies, rights, and procedures accorded to persons with disabilities under state or federal law.

(Subd (b) adopted effective January 1, 2007.)

(c) Process for requesting accommodations

The process for requesting accommodations is as follows:

- (1) Requests for accommodations under this rule may be presented ex parte on a form approved by the Judicial Council, in another written format, or orally. Requests must be forwarded to the ADA coordinator, also known as the access coordinator, or designee, within the time frame provided in (c)(3).
- (2) Requests for accommodations must include a description of the accommodation sought, along with a statement of the impairment that necessitates the accommodation. The court, in its discretion, may require the applicant to provide additional information about the impairment.
- (3) Requests for accommodations must be made as far in advance as possible, and in any event must be made no fewer than 5 court days before the requested implementation date. The court may, in its discretion, waive this requirement.

- (4) The court must keep confidential all information of the applicant concerning the request for accommodation, unless confidentiality is waived in writing by the applicant or disclosure is required by law. The applicant's identity and confidential information may not be disclosed to the public or to persons other than those involved in the accommodation process. Confidential information includes all medical information pertaining to the applicant, and all oral or written communication from the applicant concerning the request for accommodation.

(Subd (c) amended effective January 1, 2007; previously amended effective January 1, 2006.)

(d) Permitted communication

Communications under this rule must address only the accommodation requested by the applicant and must not address, in any manner, the subject matter or merits of the proceedings before the court.

(Subd (d) amended effective January 1, 2006.)

(e) Response to accommodation request

The court must respond to a request for accommodation as follows:

- (1) In determining whether to grant an accommodation request or provide an appropriate alternative accommodation, the court must consider, but is not limited by, California Civil Code section 51 et seq., the provisions of the Americans With Disabilities Act of 1990 (42 U.S.C. § 12101, et seq.), and other applicable state and federal laws.
- (2) The court must promptly inform the applicant of the determination to grant or deny an accommodation request. If the accommodation request is denied in whole or in part, the response must be in writing. On request of the applicant, the court may also provide an additional response in an alternative format. The response to the applicant must indicate:
 - (A) Whether the request for accommodation is granted or denied, in whole or in part, or an alternative accommodation is granted;
 - (B) If the request for accommodation is denied, in whole or in part, the reason therefor;
 - (C) The nature of any accommodation to be provided;
 - (D) The duration of any accommodation to be provided; and
 - (E) If the response is in writing, the date the response was delivered in person or sent to the applicant.

(Subd (e) amended effective January 1, 2010; previously amended effective January 1, 2006, and January 1, 2007.)

(f) Denial of accommodation request

A request for accommodation may be denied only when the court determines that:

- (1) The applicant has failed to satisfy the requirements of this rule;
- (2) The requested accommodation would create an undue financial or administrative burden on the court; or
- (3) The requested accommodation would fundamentally alter the nature of the service, program, or activity.

(Subd (f) amended effective January 1, 2007; previously amended effective January 1, 2006.)

(g) Review procedure

- (1) If the determination to grant or deny a request for accommodation is made by nonjudicial court personnel, an applicant or any participant in the proceeding may submit a written request for review of that determination to the presiding judge or designated judicial officer. The request for review must be submitted within 10 days of the

date the response under (e)(2) was delivered in person or sent.

- (2) If the determination to grant or deny a request for accommodation is made by a presiding judge or another judicial officer, an applicant or any participant in the proceeding may file a petition for a writ of mandate under rules 8.485-8.493 or 8.930-8.936 in the appropriate reviewing court. The petition must be filed within 10 days of the date the response under (e)(2) was delivered in person or sent to the petitioner. For purposes of this rule, only those participants in the proceeding who were notified by the court of the determination to grant or deny the request for accommodation are considered real parties in interest in a writ proceeding. The petition for the writ must be served on the respondent court and any real party in interest as defined in this rule.
- (3) The confidentiality of all information of the applicant concerning the request for accommodation and review under (g)(1) or (2) must be maintained as required under (c)(4).

(Subd (g) amended effective January 1, 2010; previously amended effective January 1, 2006.)

(h) Duration of accommodations

The accommodation by the court must be provided for the duration indicated in the response to the request for accommodation and must remain in effect for the period specified. The court may provide an accommodation for an indefinite period of time, for a limited period of time, or for a particular matter or appearance.

(Subd (h) amended effective January 1, 2006.)

Rule 1.100 amended effective January 1, 2010; adopted as rule 989.3 effective January 1, 1996; previously amended effective January 1, 2006; previously amended and renumbered effective January 1, 2007.

Advisory Committee Comment

Subdivision (g)(2). Which court is the "appropriate reviewing court" under this rule depends on the court in which the accommodation decision is made and the nature of the underlying case. If the accommodation decision is made by a superior court judicial officer and the underlying case is a limited civil, misdemeanor, or infraction case, the appropriate reviewing court is the appellate division of the superior court. If the accommodation decision is made by a superior court judicial officer and the case is anything other than a limited civil, misdemeanor, or infraction case, such as a family law, unlimited civil, or felony case, the appropriate reviewing court is the Court of Appeal. If the accommodation decision is made by a judicial officer of the Court of Appeal, the appropriate reviewing court is the California Supreme Court.

accommodation offered may not be your first or preferred choice and the court will not require that you accept it. Although the court is not required to provide the best accommodation, it must provide one that will effectively allow you to participate in court proceedings.

Can the court deny my request?

Yes, the court can deny your request in certain circumstances. The court is not obligated to provide personal devices (e.g., wheelchairs, prescription eyeglasses, hearing aids) to individuals with disabilities. Neither is it obligated to provide services of a personal nature (e.g., assistance with eating, toileting, and dressing). The request can be denied if providing the accommodation would place an excessive burden on the court's financial or staff resources. The request can also be denied if providing the accommodation would significantly change the kinds of services that judicial officers normally provide to court users. If the court denies your request, you may seek review by following the process explained in detail in rule 1.100(g).

What if I'm called as a juror?

In addition to the rule, California law specifically authorizes persons who have a visual impairment or a hearing loss to participate as jurors in trials. They may be assisted by readers, interpreters, or available technology in the jury assembly area, courtroom, and jury deliberation room.

PLEASE NOTE

The Judicial Council of California adopts rules of court, provides policy direction to the courts, and presents recommendations to the Governor and the Legislature concerning court practice, procedure, and administration. As its staff agency, the Administrative Office of the Courts provides support to the council. This document is not intended to be a full statement of the law concerning persons with disabilities and is not meant to be legal advice or to substitute for it.

RESOURCES AVAILABLE

U.S. DEPARTMENT OF JUSTICE/ADA HOME PAGE

The full text of the Americans With Disabilities Act (ADA) (42 U.S.C., § 12101 et seq.) can be found at www.ada.gov/pubs/ada.htm.

The ADA home page (a part of the U.S. Department of Justice Web site) is located at www.ada.gov.

JUDICIAL BRANCH OF CALIFORNIA/CALIFORNIA COURTS WEB SITE

The full text of rule 1.100 of the California Rules of Court can be read at www.courtinfo.ca.gov/rules/index.cfm?title=one&linkid=rule1_100.

The Access and Fairness Advisory Committee home page (part of the California Courts Web site) is located at www.courtinfo.ca.gov/programs/access.

Most county courts have Web sites that provide additional information on accommodations, including phone numbers for their ADA or access coordinators. Access your own court's Web site through www.courtinfo.ca.gov/otherwebsites.htm.

This publication and the Access and Fairness Advisory Committee's other publications are available on the committee's Web site at www.courtinfo.ca.gov/programs/access/publications.htm.

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Judicial Council of California
Administrative Office of the Courts
455 Golden Gate Avenue
San Francisco, California 94102-3688

For Persons With Disabilities Requesting Accommodations

Questions and Answers About Rule of Court 1.100 for Court Users

Do you have to go to court?

Have you been called to be a witness at a trial?

Have you received a jury summons?

Do you want to watch court proceedings?

If you answer yes to any of these questions, this pamphlet will provide you with useful information.



JUDICIAL COUNCIL
OF CALIFORNIA

ACCESS AND FAIRNESS
ADVISORY COMMITTEE

Rule 1.100 of the California Rules of Court states: “It is the policy of the courts of this state to ensure that persons with disabilities have equal and full access to the judicial system.” Under this rule, any person who has a physical or mental impairment that limits one or more major life activities, has a record of such impairment, or is regarded as having such impairment may request an accommodation. According to the rule, access can mean physical accommodation to go into and move about buildings and use accessible restrooms. Access can also mean full participation in the court’s programs, services, and activities, with the assistance of technology or other services. To provide both kinds of access, courts in California are responsible for providing reasonable accommodations to court users.

Accommodations can be provided in a variety of ways. Because people and disabilities are unique, the courts and persons with disabilities must interactively discuss each person’s needs and the effective accommodations that the court can provide.

Both California and federal law require that state and local governments, including courts, provide appropriate accommodations for persons with disabilities.

The Judicial Council of California, the policymaking body for the courts, adopted rule 1.100 to implement the federal Americans With Disabilities Act (ADA) and related state law in the courts. Following are some questions commonly asked about rule 1.100.

What is rule 1.100?

Rule 1.100 is a California court rule that enables lawyers, parties in a case, witnesses, jurors, and other people with disabilities to request accommodations from a court.

Who can get an accommodation?

Individuals can receive reasonable accommodations from the courts if they have a disability, have a record of a disabling condition, or are regarded as having a disability that limits one or more major life activities. Such activities include caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working. Examples of disabilities include mobility or other motor impairments, psychological and mental illness, visual impairments, and hearing loss.

How do I get an accommodation? What is form MC-410 and can I get help filling it out? What if I can’t read the form?

You can request an accommodation by completing form MC-410, *Request for Accommodations by Persons With Disabilities and Response*, available in the court

clerk’s office. The form and instructions should be available in alternative formats, such as Braille and large print, on request. If the form is unavailable, you can direct an accommodation request in writing or orally to the court’s ADA or access coordinator.

You can make a request anytime. You should make your request as far in advance as possible in order to allow the court time to review your request and make arrangements for the accommodation, if needed. In any event, you must give the court a minimum of five court days’ notice. Courts may, in their discretion, not insist upon this five-day requirement. If you need assistance in filling out the form, you may ask a clerk or other court personnel to help you write down the information. You may wish to attach documents, such as a doctor’s letter, to the form.

After completing the form, you must sign it under penalty of perjury, which means that everything you state in the form is true under oath, to the best of your knowledge.

What kinds of accommodations may the court provide?

Rule 1.100(a)(3) provides that accommodations may include:

- Making reasonable modifications to policies, practices, and procedures (for example, alternative time schedules, conferences by phone);
- Furnishing, at no charge to persons with disabilities, auxiliary aids and services, equipment, devices, materials in alternative formats, readers for the blind or others, or certified interpreters for persons with a hearing loss;

- Relocating services or programs to accessible facilities; and
- Providing services at alternative sites.

The court, however, cannot exceed the law in granting a request for an accommodation. For example, the court cannot extend the statute of limitations for filing an action because someone claims that he or she could not make it to the court on time because of a disability. Additionally, the court cannot provide free legal counsel as a medical accommodation. (For specific cases, free legal counsel is mandated by law to provide legal assistance, but it is not an accommodation for a disability.)

What can court personnel ask about my disability? Do I have to let everyone know about my medical problems?

Under most circumstances, the court or its employees will not need additional medical or other personal information. Rule 1.100 allows the court to request further information if it needs to. Only those persons in the court who need to know about your disability to make a decision or provide you with an accommodation will learn the details of your request and the personal information that you give. The courts will not share your personal information with members of the public unless you tell the court that you give up your right to confidentiality concerning your request.

Should I tell the court that I need an accommodation?

Yes. It is in your best interest to contact the courts to request accommodations that would best suit your situation. The courts are obligated to inform the public of the availability of accommodations. But if you do not request an accommodation, the courts will not know that you need one and, as a practical matter, will not be able to provide one.

What if the court offers a different accommodation? Do I have to accept it?

The court can offer a different or alternative accommodation. For example, if a juror is blind and requests that written material introduced at trial be transcribed into Braille, the court may consider alternatives, such as providing a reader or a tape-recorded transcript of the written material. The

TEN TIPS FOR COMMUNICATING WITH PEOPLE WITH DISABILITIES*

1. Speak directly rather than through a companion or the sign language interpreter who may be present.
2. Offer to shake hands when introduced. People with limited hand use or artificial limb can usually shake hands and offering the left hand is an acceptable greeting.
3. Always identify yourself and others who may be with you when meeting someone with a visual disability. When conversing in a group, remember to identify the person to whom you are speaking.

When dining with a friend with a visual disability, ask if you can describe what is on his or her plate using the clock to describe the location of the food, i.e., potato is at 3 o'clock.

4. If you offer assistance, wait until the offer is accepted. Then listen or ask for instructions.
5. Treat adults as adults. Address people with disabilities by their first names only when extending that same familiarity to all others. Never patronize people of short stature or people in wheelchairs by patting them on the head or shoulder.
6. Do not lean against or hang on someone's wheelchair or scooter. Bear in mind that people with disabilities treat their wheelchairs or scooters as extensions of their bodies.

The same goes for people with service animals. Never distract a work animal from their job without the owner's permission.

7. Listen attentively when talking with people who have difficulty speaking and wait for them to finish. If necessary, ask short questions that require short answers, or a nod of the head. Never pretend to understand; instead repeat what you have understood and allow the person to respond.
8. Place yourself at eye level when speaking with someone who is of short stature or who is in a wheelchair or on crutches.
9. Tap a person who has a hearing disability on the shoulder or wave your hand to get at his or her attention. Look directly at the person and speak clearly, slowly, and expressively to establish if the person can read your lips. If so, try to face the light source and keep hands, cigarettes and food away from your mouth when speaking.

If a person is wearing a hearing aid, don't assume that they have the ability to discriminate your speaking voice. Do not raise your voice. Speak slowly and clearly in a normal tone of voice.

10. Relax. Don't be embarrassed if you happen to use common expressions such as "See you later" or "Did you hear about this?" that seem to relate to a person's disability.

THE TEN COMMANDMENTS OF INTERACTING WITH PEOPLE WITH MENTAL HEALTH DISABILITIES

I. Speak Directly.

Use clear simple communications. Most people, whether or not they have a mental health disability, appreciate it and if someone is having difficulty processing sounds or information, as often occur in psychiatric disorders, your message is more apt to be clearly understood. Speak directly to the person; do not speak through a companion or service provider.

II. Offer to Shake Hands When Introduced

Always use the same good manners in interacting with a person who has a psychiatric disability that you would use in meeting any other person. Shaking hands is a uniformly acceptable and recognized signal of friendliness in American culture. A lack of simple courtesy is unacceptable to most people, and tends to make everyone uncomfortable.

III. Make Eye Contact and Be Aware of Body Language

Like others, people with mental illness sense your discomfort. Look people in the eye when speaking to them. Maintain a relaxed posture.

IV. Listen Attentively

If a person has difficulty speaking, or speaks in a manner that is difficult for you to understand, listen carefully — then *wait for them to finish speaking*. If needed, clarify what they have said. Ask short questions that can be answered by a “yes” or a “no” or by nodding the head. Never pretend to understand. Reflect what you have heard, and let the person respond.

V. Treat Adults as Adults

Always use common courtesy. Do not assume familiarity by using the person’s first name or by touching their shoulder or arm, unless you know the person well enough to do so. Do not patronize, condescend, or threaten. Do not make decisions for the person, or assume their preferences.

VI. Do Not Give Unsolicited Advice or Assistance

If you offer any kind of assistance, wait until the offer is accepted. Then listen to the person’s response and/or ask for suggestions or instructions. *Do not* panic, or summon an ambulance or the police if a person appears to be experiencing a mental health crisis. Calmly ask the person how you can help.

VII. Do Not Blame the Person

A person who has a mental illness has a complex, biomedical condition that is sometimes difficult to control, even with proper treatment. A person who is experiencing a mental illness cannot “just shape up” or “pull himself up by the bootstraps.” It is rule, insensitive, and ineffective to tell or expect the person to do so.

VIII. Question the Accuracy of the Media Stereotypes of Mental Illness

The movies and the media have sensationalized mental illness. In reality, despite the overabundance of “psychotic killers” portrayed in movies and television, studies have shown that people with mental illness are far more likely to be *victims* of crime than to victimize others. Most people with mental illness never experience symptoms which include violent behavior. As with the general public, about 1% - 5% of all people with mental illness are exceptionally easily provoked to violence. (National Alliance for the Mentally Ill, 1990)

IX. Relax!

The most important thing to remember in interacting with people who have mental health disabilities is to BE YOURSELF. Do not be embarrassed if you happen to use common expressions that seem to relate to a mental health disability, such as “I’m CRAZY about him” or “This job is driving me NUTS.” ASK the person how he feels about what you have said. Chances are, you get a flippant remark and a laugh in answer.

X. See the PERSON

Beneath all the symptoms and behaviors someone with a mental illness may exhibit is a PERSON who has many of the same wants, needs, dreams and desires as anyone else. Don’t avoid people with mental health disabilities. If you are fearful or uncomfortable, learn more about mental illness. Kindness, courtesy, and patience usually smooth interactions with all kinds of people, including people who have a mental health disability.

This is the **Last and Greatest Commandment**: Treat people with mental health disabilities as you would wish to be treated yourself.

Adapted by Mary Lee Stocks, MSW, LISW, from the *Ten Commandments of Communicating with People with Disabilities*, originally developed by the National Center for Access Unlimited/Chicago and United Cerebral Palsy Associations/Washington, D.C.; and a video and script developed by Irene M. Ward & Associates/Columbus, Ohio, partially supported through Ohio Development Disabilities Planning Council Grant #92-13 (1993)

TIPS FOR TALKING TO A PERSON WITH HEARING LOSS

- **FACE the hard of hearing person directly and on the same level whenever possible.**

Do not turn and walk away while still talking. When you walk away, the hard of hearing person can no longer hear you or read your lips.*

- **KEEP your hands away from your face while talking.**
- **SPEAK in a normal fashion, without shouting. Speak clearly and more slowly than usual.**

If a person has difficulty understanding something, find a different way of saying the same thing rather than repeating the original words over and over.

Speak slowly. Sometimes it is difficult for a hard of hearing person to distinguish between background noise and speech.*

- **NEVER talk from another room. Be sure to get the person's attention before you start speaking to him or her.**
- **REDUCE background noises when holding conversations – turn off the radio or TV.**

If you are eating, chewing, smoking, etc, while talking, your speech will be more difficult to understand.

- **MAKE sure that the light is not shining in the person's eyes when you are talking to him or her.**
- **RECOGNIZE that hard of hearing people hear and understand less well when they are tired or ill.**

*Comments provided by a hard of hearing person.

FROM THE HEARING AND SPEECH CENTER OF NORTHERN CALIFORNIA
1234 DIVISADERO STREET, SAN FRANCISCO, CA 94115
415-921-7658 VOICE 415-921-8990 TTY

**CALIFORNIA CODES
CIVIL CODE
SECTION 54.8**

54.8. (a) In any civil or criminal proceeding, including, but not limited to, traffic, small claims court, family court proceedings and services, and juvenile court proceedings, in any court-ordered or court-provided alternative dispute resolution, including mediation and arbitration, or in any administrative hearing of a public agency, where a party, witness, attorney, judicial employee, judge, **juror, or other participant who is hearing impaired, the individual who is hearing impaired, upon his or her request, shall be provided with a functioning assistive listening system or a computer-aided transcription system.** Any individual requiring this equipment shall give advance notice of his or her need to the appropriate court or agency at the time the hearing is set or not later than five days before the hearing.

(b) Assistive listening systems include, but are not limited to, special devices which transmit amplified speech by means of audio-induction loops, radio frequency systems (AM or FM), or infrared transmission. Personal receivers, headphones, and neck loops shall be available upon request by individuals who are hearing impaired.

(c) If a computer-aided transcription system is requested, sufficient display terminals shall be provided to allow the individual who is hearing impaired to read the real-time transcript of the proceeding without difficulty.

(d) A sign shall be posted in a prominent place indicating the availability of, and how to request, an assistive listening system and a computer-aided transcription system. Notice of the availability of the systems shall be posted with notice of trials.

(e) Each superior court shall have at least one portable assistive listening system for use in any court facility within the county. When not in use, the system shall be stored in a location determined by the court.

CALIFORNIA CODES
CIVIL CODE
SECTION 54.8

(f) The Judicial Council shall develop and approve official forms for notice of the availability of assistive listening systems and computer-aided transcription systems for individuals who are hearing impaired. The Judicial Council shall also develop and maintain a system to record utilization by the courts of these assistive listening systems and computer-aided transcription systems.

(g) If the individual who is hearing impaired is a juror, the jury deliberation room shall be equipped with an assistive listening system or a computer-aided transcription system upon the request of the juror.

(h) A court reporter may be present in the jury deliberating room during a jury deliberation if the services of a court reporter for the purpose of operating a computer-aided transcription system are required for a juror who is hearing impaired.

(i) In any of the proceedings referred to in subdivision (a), or in any administrative hearing of a public agency, in which the individual who is hearing impaired is a party, witness, attorney, judicial employee, judge, juror, or other participant, and has requested use of an assistive listening system or computer-aided transcription system, the proceedings shall not commence until the system is in place and functioning.

(j) As used in this section, "individual who is hearing impaired" means an individual with a hearing loss, who, with sufficient amplification or a computer-aided transcription system, is able to fully participate in the proceeding.

(k) In no case shall this section be construed to prescribe a lesser standard of accessibility or usability than that provided by Title II of the Americans with Disabilities Act of 1990 (Public Law 101-336) and federal regulations adopted pursuant to that act. Leg.H. 1980 ch. 1002, 1992 ch. 913, 1993 ch. 1214, 2001 ch. 824.

TIPS FOR INTERACTING WITH PEOPLE WHO ARE BLIND *

When you meet me do not be ill at ease. It will help both of us if you remember these simple points of courtesy:

1. I'm an ordinary person, just blind. You don't need to raise your voice or address me as if I were a child. Don't ask my spouse what I want – "Cream in the coffee?" – ask me.
2. If I am walking with you, don't grab my arm; let me take yours. I'll keep a half step behind, to anticipate curbs and steps.
3. I want to know who is in the room with me. Speak when you enter. Introduce me to the others. Include children, and tell me if there is a cat or dog. Guide my hand to a chair.
4. The door to a room, cabinet, or to a car left partially open is a hazard to me.
5. At dinner, I will not have trouble with ordinary table skills.
6. Don't avoid words like "see." I use them too. "I'm always glad to see you".
7. I don't want pity. But don't talk about the "wonderful compensations" of blindness. My sense of smell, touch, or hearing did not improve when I became blind. I rely on them more and, therefore, may get more information through those senses than you do – that's all.
8. If I'm your houseguest, show me the bathroom, closet, dresser, window – the light switch too. I would like to know whether the lights are on.
9. I'll discuss blindness with you if you're curious, but it's an old story to me. I have as many other interests as you do.
10. Don't think of me as just a blind person. I'm just a person who happens to be blind.

Note: In all 50 states, the law requires drivers to yield the right of way when they see my extended white cane. Only the blind may carry white canes. You see more blind persons today walking alone. Not because there are more of us, but because we have learned to make our way.

*From the National Federation of the Blind
1800 Johnson Street, Baltimore, Maryland 21230
Phone: 410-659-9314
www.nfb.org



SIGHTED GUIDE TECHNIQUES

BRAILLE INSTITUTE

741 North Vermont Avenue, Los Angeles, California 90029

Sighted guide techniques are an easy and efficient way to provide meaningful help to a blind person. Although many blind people are adept at traveling with a cane or dog guide, many appreciate assistance in an unfamiliar environment. Even the most proficient travelers will utilize sighted guides on occasion to become acquainted with a new area, to cross a street or to maneuver around obstacles.

These techniques will help make assisting a blind person easy and comfortable, but they will not make you proficient. Actual sighted guide training still is recommended.

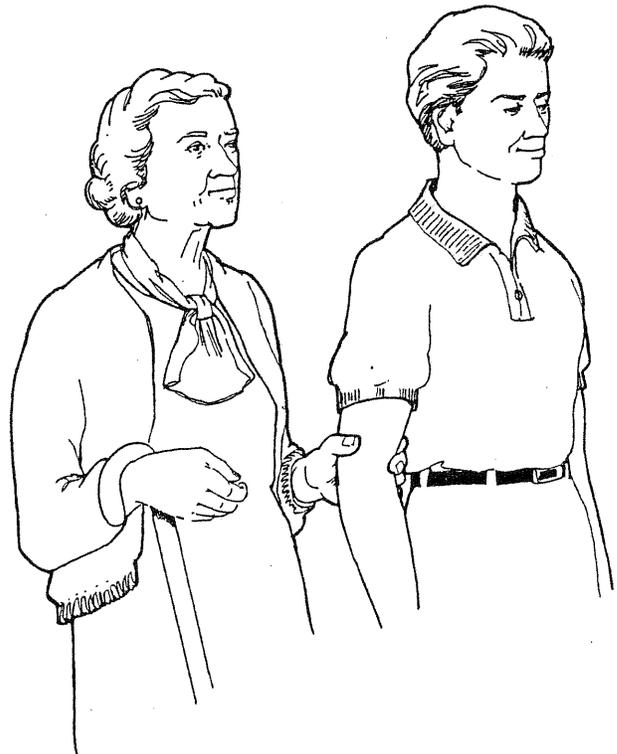
MAKING CONTACT

When approaching a blind person, introduce yourself and ask whether he would like assistance. Verbally offer your arm and brush it against his.

GRASP

The blind person usually will grasp your arm just above the elbow with her fingers on the inside near your waist and her thumb on the outside. The blind person's grasp must be firm enough to be maintained while walking, yet not so tight as to cause you discomfort. If the grip is too tight, say so. This technique allows you flexibility and freedom of motion with both hands.

The standard grasp often is too high for children to reach, so have them grasp your wrist or hold your hand. This will be more comfortable for both of you.



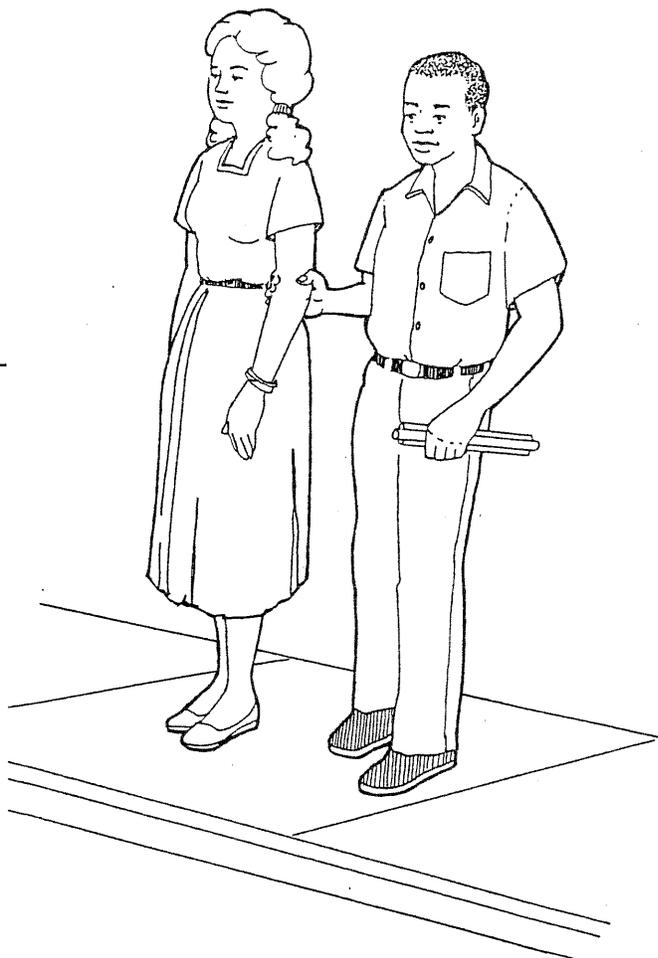
Grasp

STANCE

Hold your arm relaxed, yet steady, at your side. The blind person's arm will be at a 90-degree angle and held close to his side. He should proceed by your side and one half-step behind you. The blind person will follow your movements, so do not steer him.

SUPPORT GRASP

Blind people who are frail, or who have balance problems, often find that the standard grasp does not provide them with adequate support or information. Therefore, rather than holding your arm above the elbow, a blind person may link his arm with yours. This will decrease the amount of space between the two of you and will give added support. In order to accommodate a blind person's unsteadiness and your proximity to each other, you may need to slow your walking pace.



Stance

TAKING A SEAT

Approach chairs from the front. Tell the blind person that he is at a chair and slowly bring him up to it until his knees or shin touch the seat.

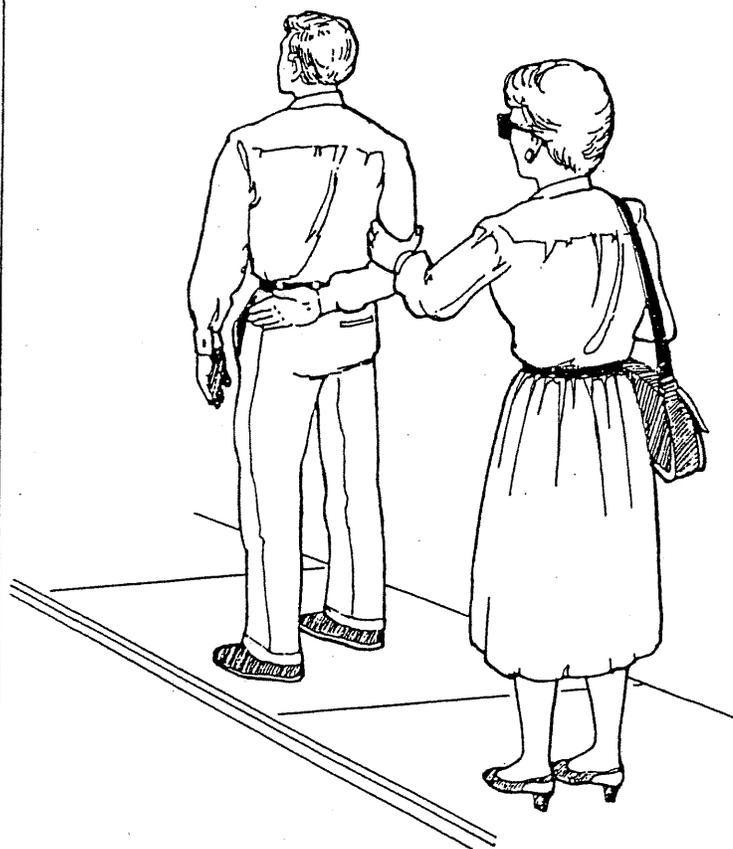
Place your hand on the back of the chair and let him follow your arm down to

locate the chair's back with the hand he has been using to grasp your arm.

Allow the blind person to seat himself. Do not physically assist him or move the chair, unless you are asked to do so.

NARROW AREA

When approaching a crowded or narrow area, such as a doorway, you should move your forearm and hand so that they rest against the lower portion of your back, with your elbow bent at a 90-degree angle and your palm facing outward.



Narrow Area

The blind person will take this cue and move directly behind you at an arm's length, still maintaining a firm grip. You should take smaller steps and walk slower as you proceed through the narrow area.

For added comfort you can have the blind person move her grasp from above your elbow to your wrist.

After walking through the narrow area, return your arm to the guide position and walk normally.

DOORS

When approaching a door, assume the narrow space stance and tell the blind person in which direction the door opens. This information will allow the blind person to assist you by holding the door as he passes through. Do not attempt to turn around to hold the door open. This is awkward and diverts your attention.

STAIRS

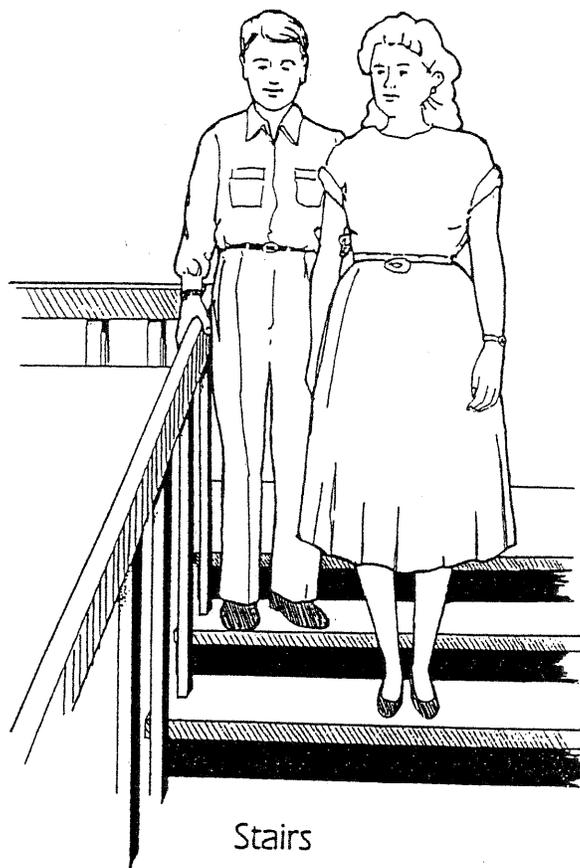
Tell the person you are guiding that you are approaching stairs about six feet before reaching the first step. Approach the stairs directly and in such a way that the blind person's free hand is closest to the rail. Mention whether the stairs go up or down. Pause to allow the blind person to locate the first step and the railing. Always remain

one step ahead and proceed as you would normally, remaining to the right-hand side of the stairs in order to avoid collisions with others. Pause at each landing to allow the blind person to stand beside you and to cue him that there are no more steps, until you begin to move again. Tell the blind person when you have reached the top or bottom of the stairs.

WHAT TO DO NOW

Sighted guide techniques are easy to learn and use. With proper training, you will be able to guide a visually impaired person in need of assistance.

Anyone interested in formal sighted guide training can contact Braille Institute to register for an Introduction to Blindness Seminar. The seminars are offered free of charge and are conducted by orientation



and mobility specialists who explain various aspects of being blind and give hands-on training in sighted guide techniques.



Braille Institute
741 North Vermont Avenue
Los Angeles, California 90029
(323) 663-1111

Tips for Making Print More Readable

Low vision often makes reading a difficult task. The conditions that cause low vision may affect the ability to read by:

- Reducing the amount of light that can enter the eye;
- Blurring the image on the retina; or
- Damaging the central portion of the retina (the macula) needed for fine vision.

The contrast of print against its background is affected by reduced light and blurring. Damage to the central retina interferes with the ability to see small print and to make the eye movements necessary for reading.

The following guidelines describe how to make print more legible for individuals with vision problems and for the general public as well.

Print Size

Use large-print type, preferably **18 point** but a minimum of 16 point. Scalable fonts on the computer make this adjustment easy to do.

Font Type and Style

The goal in selecting type fonts or styles is to use easily recognizable characters, either standard roman or sans serif fonts. Avoid decorative fonts. **Use bold type because the thickness of the letters makes the print more legible.** Avoid using *italics* or ALL CAPITAL LETTERS. Both these forms of print make it more difficult to differentiate among letters.

Use of Color

Avoid using different-colored lettering for headings and emphasis; it is difficult to read for many people with low vision. When color is used, dark blues and greens are most effective.

Contrast

Contrast is one of the most critical factors in enhancing visual functioning, for printed materials, as well as in environmental design. Text should be printed with the best possible contrast. For many older people, light lettering-either white or pale yellow-on a dark

background, usually black, can be easier to read than black lettering on a white or pale yellow background.

Paper Quality

Avoid using glossy finish paper such as that typically used in magazines and some journals. Glossy pages create excess glare, which adds to the reading difficulty of people who have low vision.

Leading (Space Between Lines of Text)

The recommended spacing between lines of text is 1.5 spaces, rather than a single space. Many people who are visually impaired have difficulty finding the beginning of the next line when single spacing is used.

Spacing Between Letters

Text with letters spaced close together makes reading difficult for many people who are visually impaired, particularly those who have central visual field defects such as those accompanying macular degeneration. Spacing between letters should be wide. Monospaced fonts such as Courier, which have an equal amount of space allocated for each letter, are easier to read.

Margins

Many low vision devices, such as stand magnifiers and closed-circuit televisions (CCTVs), are easiest to use on a flat surface. When materials are to be bound, printing them with an extra-wide binding margin (a minimum of 1 inch and preferably 1 1/2 inches if the material is thick) makes it easier to hold the material flat.

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Arial 18 pt

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person, not the person interpreting what's being said. If the person uses an amplifier or other device, don't touch it, as that's part of his or her personal space.

Persons With Hearing Loss

If you need to attract the attention of a person with a hearing loss, touch him or her lightly on the shoulder or arm. When you speak to people with hearing loss, speak directly to them. With people who use sign language interpreters, speak to them, not to their interpreters. Face them so that they can see your lips. Slow your rate of speech, speak your words clearly, and increase your volume, if requested. Shouting usually doesn't help.

Not all people with hearing loss can read lips. For those people, other forms of communication may be necessary. Some may offer to write messages back and forth. For some, American Sign Language (ASL) is their first language, and they may require a sign language interpreter to understand proceedings or join in a conversation.

Persons With Vision Loss

Be descriptive. Describe goings-on and surroundings, especially obstacles, to a blind person. You may need to help orient people with visual disabilities and let them know what's coming up. Be the assistant, not the director. If you're asked for assistance, let a blind person hold your arm as a guide. If they're walking, tell them when they have to step up or step down; let them know if the door is to their right or left; and warn them of possible hazards.



You don't have to speak loudly to people with visual disabilities. Most of them can hear just fine. When appropriate, offer to read written information for a person with a visual disability. It's okay to ask blind people if they "see what you mean." If you're meeting a blind person, identify yourself. If you've met before, remind the person of the context because he or she won't have the visual cues to jog the memory.

Persons With Learning Disabilities

Don't assume the person isn't listening merely because you're not getting any verbal or visual feedback. Instead, ask whether they understand or agree. Don't assume you have to explain everything to people with learning disabilities. They

don't necessarily have a problem with general comprehension. When necessary, offer to read written material aloud.

Persons With Hidden Disabilities

Not all disabilities are apparent. A person may have difficulty following a conversation, may not respond when you call or wave, or may say or do something that seems inappropriate. The person may have a hidden disability such as poor vision, a seizure disorder, a hearing loss, a learning disability, a brain injury, a mental disability, or a health condition. These are just a few of the many different types of hidden disabilities. Don't make assumptions about the person or the disability. Be open-minded.

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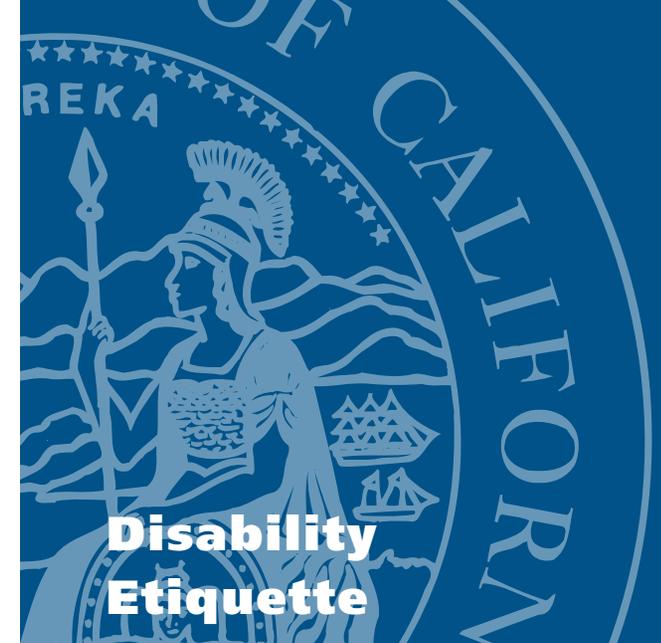
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Administrative Office of the Courts
455 Golden Gate Avenue
San Francisco, California 94102-3688



Interacting With Persons With Disabilities



JUDICIAL COUNCIL
OF CALIFORNIA

ACCESS AND FAIRNESS
ADVISORY COMMITTEE

GENERAL ETIQUETTE

People with disabilities prefer that you focus on their abilities, not their disabilities. Always emphasize the person first. Avoid the terms “handicapped,” “physically challenged,” and other similar references. The preferred usage is “people with disabilities” or “persons with disabilities.” The term “disabled people,” although used, may be offensive because this term defines people as disabled first and people second.

Language is powerful, but attitudes and behaviors are the most difficult barriers for people with disabilities to overcome.

Be Yourself

Treat people with disabilities with the same respect and consideration that you have for everyone else. Treat each person as an individual, not as a disability. Don't assume that disability is all that person can talk about or is interested in. Engage in small talk, the way you would with anyone. Use a normal voice when extending a verbal welcome. Don't raise your voice unless requested. As in any new situation, everyone will be more comfortable if you relax.



Helping

Don't automatically give assistance. Ask first if the person wants help. Follow the person's cues and ask if you're not sure. Assistance with doors, as long as you're clear of the path, is usually very much appreciated. If your offer of assistance is accepted, listen or ask for instructions. Don't be offended if someone refuses your offer. It's his or her choice to be as independent as possible.

Communication

People are considered to have communication disabilities when their ability to take in, give, or process information is limited.

Talk directly to the person, not to an aide or interpreter. It's important to make eye contact. If you don't understand someone, ask the person to repeat. If the person doesn't understand you when you speak, try again. Sometimes it takes several attempts at listening or speaking for communication to be successful. Let the person know that your communication with him or her is worthwhile to you. When appropriate, offer to make public information available in alternative formats such as Braille, audiotape, large print, or Web pages.

Environments

Be sensitive about the setting in which you're communicating. A noisy or dark environment, or many people talking at the same time, may make it difficult for people with vision, speech, hearing, or some other hidden disabilities to fully participate in a conversation. Be aware of clear paths of travel for people who are blind or use wheelchairs or other mobility aids. Realize that a person with chemical sensitivity may have a reaction to smoke, perfume, or toxins in the environment.

Socializing

Don't leave persons with disabilities out of a conversation or activity because you feel uncomfortable or fear that they'll feel uncomfortable. Include them as you would anyone else. They know what they can do and what they want to do. Let it be their decision whether to participate.



Touching

You may gently touch people with disabilities to get their attention. Touch them when appropriate, such as when shaking hands in greeting or if they request your assistance. If you meet people with AIDS, shake their hands as you would with anyone else; you can't get AIDS by touching.

Don't touch someone's cane, wheelchair, or other assistive device. It's a part of that person's personal space. If you're interested in a demonstration of someone's electronic aid, ask. Don't try to use such equipment unless invited to do so. Guide dogs and other service animals are working animals; don't pet or touch them without specific permission.

PERSONS WITH SPECIFIC DISABILITIES

Persons With Mobility Disabilities

A person in a wheelchair is a “wheelchair user” or a “person using a wheelchair.” Talk directly to the person, not to an aide, and don't assume a companion is an aide. When having an extended conversation with someone in a wheelchair or scooter, try sitting or crouching down to his or her approximate height. It's okay to invite a person in a wheelchair to “go for a walk.” Never touch or lean on a person's wheelchair unless you have permission—it's that person's personal space. Give a push only when asked. Enable people who use crutches, canes, walkers, wheelchairs, or scooters to keep their mobility aids within reach, unless they request otherwise. Be aware of what is and isn't accessible to people who use mobility aids such as wheelchairs and walkers.



People who use wheelchairs may have a variety of disabilities. Some have use of their arms, and some don't. When you meet such a person, extend your hand to shake if that's what you normally do. A person who can't shake your hand will let you know, and he or she will appreciate being treated in a normal way.

Persons With Speech Disabilities

Listen patiently and carefully. Address persons with speech disabilities as you would anyone else in the same situation. Don't complete sentences for a person with a speech disability unless he or she specifically asks you for help. Don't pretend you understand what he or she says, just to be polite. Go to a quiet room if necessary. Don't let able-bodied people interrupt a person with a speech disability simply because they talk louder. If you don't understand what's said to you, ask the person to repeat it or to say it a different way.

Keep good eye contact. If a person with a speech disability is using a trained speech interpreter or relayer, speak to and keep eye contact with the

When referring to people with disabilities, choose words that reflect dignity and respect. Use language that describes the person's disability without defining the individual as his or her disability. The following are just some examples.

INAPPROPRIATE	APPROPRIATE
The disabled, the handicapped	People with disabilities, the disability community
Crippled, suffers from, afflicted with, stricken with, victim of, invalid	Has a disability, is a person with a disability
Normal person, healthy, whole	People without disabilities, person who is able to walk, person who can see, etc.
The blind, the deaf	Person who is blind, person who is deaf or hard of hearing
Wheelchair bound, confined or restricted to a wheelchair	Person who uses a wheelchair, wheelchair user
Handicap parking	Accessible parking, parking for people with disabilities
Dumb, mute	Person who cannot speak, has difficulty speaking, uses synthetic speech, is non-vocal, non-verbal
Stutterer, tongue-tied	Person with a speech impairment, who has a speech disability, speech disorder, or communication disability
CP victim, spastic	Person with cerebral palsy
Crippled, lame, deformed	Person with a disability, walks with a cane, uses leg braces
Epileptic	Person with epilepsy, person with seizure disorder
Fit, attack	Seizure, epileptic episode or event
Crazy, maniac, lunatic, insane, nuts, deranged, psycho, demented	People with emotional disorders, mental illness, mental health disability, psychiatric disability
Retard, mentally defective, moron, idiot, slow, imbecile, feeble-minded, Down's person, mongoloid	Person with a developmental disability, person with mental retardation, person with a developmental delay, person with Down syndrome or person who is brain injured, has traumatic brain injury, is brain damaged, with a closed head injury
Slow learner, retarded	Person who has a learning disability
Dwarf, midget	Short stature, little person
Paraplegic, quadriplegic	Person with spinal cord injury, man with paraplegia, woman who is paralyzed
Birth defect	Congenital disability, birth anomaly
A post-polio, suffered from polio	Has had polio, experienced polio
Homebound	Stay-at-home, hard for the person to get out
Senile, demented	Person with Alzheimer's disease, person who has dementia