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Empowering a diverse disability community through legal, consulting, and assessment services.

8 A's of Accessibility

Serving individuals with disabilities with legal issues is multifaceted. Despite living, working, and contributing to their communities, such individuals were an after-thought in the courts and other legal processes. As our society works to address disability in these environments, it is essential to not only look at the disability community as a large, diverse group, but also focus on a disability framework that is individualized to the person and circumstances.

The disability community is the largest minority group in the U.S., and the legal field will never meet the needs of those seeking assistance if this important group is ignored at any level. 1 in 4 U.S. adults has a disability, and any person blessed with the opportunity to age will acquire disability.

In my time consulting on disability and practicing disability rights law, I've witnessed the monumental benefits of focusing on simple, start-to-finish situational processes that can be implemented in every area of the law. These efforts involve trainings on flexible and unbiased assessments of a situation, with the awareness that any call could involve a person with a disability; adapting the professional's approach on emergency calls and responses; appropriately acknowledging disability rights and providing reasonable accommodations to individuals during interrogations, mediation, trial, and in our offices; assessing witness and victim statements to account for disability communication differences; engaging in adaptable counter-bias measures; and enforcing accountability when disability rights are violated.

I am aware that after reading the preceding wordy paragraph, professionals may not know where to start to ensure accessibility for people with disabilities in our work. That is why I developed the "8 A's of Accessibility."

However, to truly make change in this area, it must first be acknowledged that disability cannot and should not be ignored in this field. To assist you in your efforts, use the "8 As" as a foundation which can be easily built upon. I also am happy to consult or be of service in any way that is helpful. This issue cannot be taken lightly, and it must be handled with consistent commitment to the law and dignity of those with disabilities. I am encouraged by your efforts and am hopeful it will make a difference in and outside the justice system. After all, it is not only your clients who have disabilities, but also your colleagues, judges, and peers.

8 A's of Accessibility

The best way you can prepare to serve or work with individuals with disabilities is to look at the processes you already have in place, implement general strategies to improve accessibility in your work, and be flexible to individualized approaches as needed on a case-by-case basis.

When looking at your process, be mindful of the following A's:

ASSIGN—Identify who is assigned to review or work on a case and review that person's baseline knowledge related to the disability community. Does this person know what an "accommodation" is? Does this person know how to adapt documents in format or substance to be understood by a party with a disability? Does this person know how to convey processes or concepts in a manner best communicated to the party with a disability? If not, does this person have access to this and other resources to learn best practices related to people with disabilities?

ACKNOWLEDGE—This tends to be the hardest "A" for people who work in and around the law, because we tend to be great at pointing out other people's lack of knowledge without identifying our own needed areas of growth. It is important to acknowledge potential biases (admit to yourself and your team how any person conditioned in our society has some level of bias). From there, remind yourself that disability is common and might not be readily apparent by looking at someone. This "A" also involves acknowledging that "the way we've always done things" is not the same thing as "the way things should be done now." It is vital to acknowledge that people with disabilities often face stigma throughout a case and may have been let down by the legal system before. Negotiating a successful resolution cannot be done without acknowledging that a person with a disability will only truly "buy in" if they are not dismissed or minimized.

ASSESS—Assess the situation and symptoms from a biopsychosocial disability perspective. Determine main triggers of the person's symptoms. Determine how the person communicates when in crisis or under stress. Assess assistive technology needs, disability accommodations, etc. A great place to start is to literally leave your office and try to re-enter with different disabilities in mind. How difficult is it to open the door to your office from a seated position (like, a wheelchair)? Do you have disability-accessible parking? Do you have an elevator or only stairs? Is there a nearby disability-accessible restroom stall? Are the lights or temperature inconsistent or harsh? Does your office have windows that expose photosensitive people to seizures or flare ups of chronic illnesses? Then look to your process for new clients. If a client is hard of hearing or D/deaf, can they text or email you to schedule an appointment? Do you have RTT set up on your business line? Once a meeting is scheduled between parties on a matter, will you need to plan or schedule breaks? It is okay if you do not know the answers to all of these questions at the start, but the next "A" will guide your next steps.

ASK—One of the simplest and best tips for ensuring accessibility in your process to ask the individual or his/her/their attorney what is needed or helpful to allow full participation by the party with a disability. Adding an optional question on your client intake sheet asking about disability symptoms and needs (confidentially) is easy to do and reaps endless rewards. Even if you can't do exactly what the person is asking for, it shows empathy and equal opportunity to

participate in the process. Ask, “Is there anything I should know so I can best help you?” “Would you prefer to sit rather than stand?” “Do you need breaks?” “Is there a time of day you tend to feel your best based on medication schedules, transportation needs, etc.?” Once you start identifying disability in your work, these questions become more natural.

ADAPT—Adapt your methods to the disability of the individual to allow equal participation and protection of disability rights. If you have a case involving an elderly individual or someone with a vision-related disability, can you quickly offer an enlarged font option for documents? If a party has a learning disability, autism, or is hard of hearing, do you have captions available for your meetings? If a party requires breaks, uses sensory tools or gadgets, or prefers Zoom for accessibility reasons, are you and your team on the same page about adapting to those needs? Typically, the most difficult part of adapting your process is becoming receptive to changes. You also should look at your social media pages for accessibility. Do your business posts include image or video descriptions? Do you include Alt Text? Is your website screen reader accessible?

ACCOMMODATE—Identify disability accommodations to facilitate communication with person with a disability. Often, nondisabled professionals misunderstand the purpose of accommodations. Accommodations are not “special treatment,” but strategies for addressing unnecessary barriers in our system and processes. Ask the party about what accommodations they have used in the past for school or work. Do they need an ASL interpreter? Does the person have a limited vocabulary? Difficulty reading documents visually? Is Zoom/Teams possible for the comfort and disability needs of a party? Do not be afraid to get creative. If you are looking for helpful accommodations for different environments, the Job Accommodation Network (JAN) at AskJan.org is a great resource.

ASSIST—Assist the individual without rushing. Unless it is evident the person is going to cause severe imminent harm to himself or others, don’t rush the process. Refocus the individual based on the info you know and/or received prior to arriving or upon arrival. People with disabilities may speak more or less quickly based on their cognitive abilities, vocabulary or speech difficulties, overstimulation, or any number of disability reasons. Do your best to allow space and silence if the party is processing information received or shared. People with disabilities are used to nondisabled individuals speaking over them, interrupting them, or speaking for them. While in this field, attorneys will of course be of assistance in this regard, if the individual wants to offer input or feedback, do what you can to allow them time to process the information and convey their thoughts without interruption. Silence is only awkward if you treat it as such, so if a party takes an extra minute to communicate, give that space without jumping in to finish their sentences or thoughts.

ANALYZE—What was the outcome? What would you have done differently (try to force yourself to think of at least 1 thing you could implement in your everyday process to address disability needs in practice moving forward).