



Best Practices for Courtroom Accessibility Deaf and Hard of Hearing Persons in the Courts

Last Revised: July 2025



NOTIFICATION



Promote the jurisdiction's procedures for requesting accommodations for litigants and other eligible court participants via the court website and printed ADA informational brochures.



Litigants/Counsel should notify the court – and opposing parties- of any court participants (*e.g., party, witness, attorney, or juror, etc.*) who is deaf or hard of hearing (DHH) or has any other disability that requires an accommodation per the ADA. Provide the court information gathered from discussions with the party. **NOTE:** Jurors who require accommodation should notify the court administrator.



The judge should initiate, *sua sponte*, an accommodation request prior to the court proceeding if s/he determines a party requires a reasonable accommodation in order to meaningfully participate in the judicial process, including jury selection and participation in court-managed (e.g., mediation services)



NOTE: See Resources, *ABA Formal Opinion 517 – Discrimination in the Jury Selection Process* (July 9, 2025)



Before the civil or criminal hearing, the judge should inquire on the record whether the parties have been notified of their rights under the Americans with Disabilities Act (ADA) and court rules



NOTE: See Resources, *Judicial Council of Georgia Bench Card – Working with DHH Persons and Sign Language Interpreters* (2025) re: Supreme Court of GA Rules governing use of sign language interpreters in all GA courts.



DETERMINATION OF SERVICES



What is Needed? / Reasonable Supporting Documentation: Determine the degree of accommodation needed. Request reasonable documentation regarding the need for an accommodation.



Preliminary Reasonable Accommodation Hearing: A hearing may be necessary to determine the appropriate accommodation. At the discretion of the presiding judge, a hearing may be held to determine the specific form of assistance required to ensure the person with a disability has meaningful access to the judicial process, including court-managed operations such as mediation. (*e.g.*, ASL interpreters, assisted listening devices, CART services, service animals, etc.)

NOTE: To maximize resources, streamline costs, and ensure compliance with legal obligations, all Georgia courts are encouraged to develop a written language access plan which clearly establishes the jurisdiction's written policies and procedures for providing language assistance services to limited English proficient court participants and persons who are DHH well as providing reasonable accommodations to person with disabilities. Such a plan may include the jurisdiction's ADA grievance process. See Resources for an easily adaptable model plan template in Supreme Court of Georgia Model Administrative Protocol for Provision of Language Assistance Services to LEP/DHH Persons in GA Courts.



PROVISION OF SERVICES



Necessary Assistance / Timely Processing: Obtain the necessary assistance or device available to address the accommodation request through the court's language access coordinator/ court administrator. Ensure all requests for modifications are handled timely and with respect. *NOTE: in some judicial circuits language access / ADA reasonable accommodations requests are handled by the local court administrator (or their designee), others by the administrator over judicial district in which the court operates.*



Reasonable Accommodations / Modifications: Allow for reasonable accommodations or modifications at the hearing so the party has an equal opportunity to present his or her case as the opposing party without a disability.



At No Cost: The court must provide accommodations or modifications without charge.



Requests for Reasonable Accommodation under the ADA MUST be granted unless:



- The requested accommodations or modifications would fundamentally alter the nature of the service, program, benefits, or activities of the court.
- The requested accommodation would jeopardize the overall financial resources of the governmental entity.



CONSIDERATIONS TO ENSURE PERSONS WITH DISABILITIES HAVE MEANINGFUL ACCESS PER THE ADA



Identify yearly training opportunities for judges and administrative staff on ADA compliance.



Designate a circuit/district ADA coordinator to collaborate with well-trained local human resources staff and the local county or city attorney's office.



Establish an ADA grievance process. The language access coordinator may serve as the designee for this task.



Consider any request on an individual basis.



Educate court personnel and be familiar with federal regulations on service animals and effective communications.



Be receptive and give primary consideration to the individual's preferred mode of communicating (e.g., not all persons who are DHH communicate using American Sign Language)



Establish specific but flexible procedures to address reasonable accommodation or modification requests and to meet recurring accessibility needs.

Resources

[Georgia Judicial Handbook for Courtroom Accessibility \(2017\)](#)

[Supreme Court of Georgia Bench Card for Working with DHH Persons and Sign Language Interpreters \(2025\)](#)

[Supreme Court of GA Model Administrative Protocol for Provision of Language Assistance Services for LEP and DHH Persons in GA Courts \(2020\)](#)

[Jurors with Disabilities, National Center for State Courts \(2018\)](#)

[ABA Formal Opinion 517 – Discrimination in the Jury Selection Process \(July 9, 2025\)](#)

National Association of the Deaf - www.nad.org

[Understanding the Rights of Deaf and Hard of Hearing Individuals to Meaningful Participation in Court Proceedings](#), Douglas, M., *Valparaiso University Law Review*. Vol. 45, N. 3, pp. 927-965 (2011)

Blog - Understanding the ADA - <https://www.understandingtheda.com/>

[Silva v. Baptist Health South Florida](#), 865 F.3d 824 (11th Cir.2017).