



Accommodations for a party with a head injury or TBI (traumatic Brain Injury)

A party may ask for specific accommodations. However, a party may not know enough about the hearing process to know what they need. No two parties with a head injury are exactly alike. The way a party does things as a result of a head injury may depend on the site of the injury and how recently the injury occurred. A party with a head injury may experience:

- Visual difficulties
- Small motor impairment
- Fatigue, and fatigue-induced cognitive problems
- Difficulty processing information
- Short-term memory problems
- Problems prioritizing tasks and remembering lengthy instructions
- Other functional limitations due to physical, sensory and cognitive impairments

Suggested accommodations for head injury or TBI may include:

- scheduling hearings in the morning or no later than early afternoon to avoid difficulties caused by fatigue;
- splitting all day or multi-day hearing events up into 3 or 4 hour sessions and scheduling over multiple days to avoid difficulties caused by fatigue;
- allowing the party to ask for breaks as necessary to regain focus;
- allowing the party to ask for clarification for terms not clearly understood or allowing the party to request that terms be defined or re-worded for better understanding;
- keeping the reception area and hearing room free of clutter for in-person hearings;
- letting the party tell you if the lighting in the hearing room should be adjusted;
- explaining the hearing process step-by-step in greater detail during the prehearing conference;
- scheduling a prehearing conference in case types where one would usually not be held, to provide detailed instructions in plain words about how to participate at the hearing;
- the ALJ may suggest that the party listen to the audio recording uploaded to the Portal if the party is a Portal user or offering to send an audio recording of the prehearing conference with the written prehearing order, to provide both verbal and written instructions about the hearing process;
- providing clear instructions and graphics demonstrating how to access OAH's public website for the "how to" information specific to the case type;



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- providing clear instructions for how to access the Portal so that the party can access and upload documents in their case;
- using large print versions of written materials; and
- creating checklists of "next steps", including dates of next hearing events, due dates for documents, to assist the party to prepare for hearing.

If it is unclear what type of accommodation would be necessary and appropriate for the party, contact the ADA team at: OAH_ADACoordinator@oah.wa.gov