



Accommodations for a Party with a Mental Health Disability

A party may ask for specific accommodations. However, a party may not know enough about the hearing process to know what they need. Examples of mental health disabilities include: depression, bi-polar disorder, personality disorders, obsessive compulsive disorder, panic disorder, seasonal affective disorder, and post-traumatic stress disorder (PTSD). No two parties with a psychiatric disability are exactly alike. A party with a psychiatric disability may have impaired thinking, feeling and behavior. A party's capacity to meet deadlines, produce documents, and to prepare in advance for the hearing may be impaired.

Accommodations and supports that may help individuals with an psychiatric disability include:

- providing a quiet, private space in which to take a break and review notes during an in-person hearing;
- using natural light or full spectrum lighting, rather than florescent lights;
- allowing the use of headphones to keep distractions to a minimum when not on the record;
- creating calendars or checklists to record upcoming hearing events, including due dates for filing motions and lists of witnesses and exhibits;
- offering to send the party a blank declaration so that they can write out their testimony on their own timeline. The declaration can be submitted to the case or used by the party as notes during the hearing;
- providing written step-by-step instructions about the hearing process;
- assisting the party to access the how-to information on the public website;
- allowing more frequent breaks and longer breaks as needed for the party to regroup and refocus;
- allowing a party to use fidget toy to help reduce stress and anxiety;
 - Fidget toys come in various forms — such as cubes, spinners, and balls — and they are popular among those who find it difficult to stay still or focused.
- allowing the presence of a comfort or emotional support animal.
 - Under the ADA, a service animal is defined as a dog that has been individually trained to do work or perform tasks for an individual with a disability. The task(s) performed by the dog must be directly related to the person's disability.
 - Under the ADA, “comfort,” “therapy,” or “emotional support” animals do not meet the definition of a service animal because they have not been trained to do work or perform a specific task related to a person's disability.



*have the case manager check with the facility to make sure that it is okay to have an emotional support animal in the facility.

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