



Accommodations for a party with an intellectual disability

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 disability are exactly alike. A party with an intellectual disability may have difficulty reading and writing, expressing themselves verbally, working with numbers and calculations, with math, learning new information, and recalling what they have learned or been told.

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

- keeping your statements simple, and rephrasing comments or questions to clarify as needed
- allowing extra time for the party to testify or respond to questions from other parties in the case;
- allowing the party to orally state on the record, or to submit an audio recording, of matters usually submitted in writing, such as motions, declarations, closing statements.
- modifying hearing procedures, such as the requirement to submit a list of witnesses and list of exhibits. For example:
 - scheduling a conference call on the exchange date and allowing the party with a disability to provide the information orally; or
 - depending on the nature of the case, assigning a Support Staff to assist the party to fill out a witness and exhibit list and mark the exhibits.
- changing the order of testimony given by the parties. Allow the party with the disability testify first, if that will help;
- allow the party to have a friend, caregiver, or family member participate with the party for support;
- offering to have every notice and order read aloud to the party and for the process to be repeated as needed
- upload documents to PRISM and notify the other parties as an accommodation for parties, this can be done by ADA team members;
- modifying hearing procedures based on the ALJ's observations, such as:
 - when a party shows a need to please and is having difficulty stating an objection to the evidence offered by the other party;
 - an ALJ needs to be more strict limiting compound questions;
 - an ALJ observes a party is very susceptible to suggestion or to agreeing with what is said by the other party or party's representative.
- explaining the hearing process step-by-step in greater detail using simple words



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- giving practical tips for the hearing, such as to have paper and pen to take notes, and writing down important things to tell the judge
- liberally allowing amendment of materials written by the party
- liberally construing materials written by the party

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