



# LEGAL SERVICES

INCORPORATED

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### **NY Courts Do Not Accommodate People with Disabilities**

#### ***ADA Liaison Program Could Be a Good Tool But Is Not Effectively Administered***

NEW YORK, NY, November 2, 2016—New York’s Unified Court System is not effectively administering a program that would enable people with disabilities to access the court system and exercise their right to fully participate in court proceedings to which they are a party. A report released today by MFY Legal Services, Inc. details the specific problems of the program and offers recommendations to fix it.

To comply with the Americans with Disabilities Act’s mandate that courts be accessible to all, New York State created the ADA Liaison program, in which at least one professional in each court house is assigned to provide information to people with disabilities and facilitate requests for reasonable accommodations. “It’s a great idea and could be a tremendous resource, but it’s not working,” said Nahid Sorooshyari, an attorney in MFY’s Disability and Aging Rights practice. “It is almost impossible to find the website that has information about the program, and even if you do, much of the contact information for ADA Liaisons is outdated or inaccurate. People who desperately need accommodations – especially those who may need remote access or procedural accommodations in order to challenge an eviction – get lost in a bureaucratic boondoggle.”

The report details numerous deficiencies, including lack of easy-to-find information online and at courthouses; court personnel’s lack of awareness of the rights of people with disabilities and the ADA Liaison Program; insufficient training of ADA Liaisons; and inadequate grievance procedures. The report also finds that even if a court user contacts an ADA Liaison and makes a reasonable accommodation request, that request may not be reviewed in accordance with the ADA.

Under the leadership of former Chief Judge Jonathan Lippman, New York courts made access to justice a priority. New York has implemented a number of new programs to help close the justice gap and ensure that legal services are within reach of all New Yorkers. Consistent with these important improvements to our state’s justice system, improvements can be made to the way our courts accommodate people with disabilities. “Many attorneys, litigants, and court personnel are unaware of or confused about the ADA Liaison program,” said Kevin M. Cremin, MFY’s Director of Litigation for Disability and Aging Rights. “We are hopeful the court system will fix and publicize this program to comply with the ADA and provide equal access to justice for all, including people with disabilities.”

The report makes recommendations, including that: accurate information on the ADA Liaison program be prominently displayed on court websites, in courthouses, and on standard notices sent to litigants; court personnel be trained on the ADA Liaison program; ADA Liaisons get specialized training and be required to return phone calls within 24 hours; and that courts provide more guidance to ADA Liaisons and litigants on the universe of accommodations that can be requested.

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MFY Legal Services provides free legal assistance to low-income New Yorkers, with a large practice serving people with disabilities, in the areas of housing, public benefits, civil and disability rights, consumer, employment and kinship care.