

# Washington State Judicial Branch

## 2024 Supplemental Budget

### Ensure Access to Justice for Individuals with Disabilities

**Agency:** Supreme Court

**Decision Package Code/Title:** AD – Ensure Access to Justice (ADA)

#### Agency Recommendation Summary Text:

The Supreme Court requests funding to begin the process of ensuring access to the Temple of Justice for individuals with disabilities. The TOJ is generally inaccessible to anyone who has difficulty using stairs and, in those instances (such as a Court oral argument) when a non-Court employee needs to access the building, the only pathway through the building to the courtroom compromises the security of Court staff and the Justices. For non-Court business, such as tours or other presentations, access for individuals with disabilities is generally non-existent. Not only does this violate the Americans with Disabilities Act (ADA), it violates the principles enshrined in both our federal and state constitutions, ensuring equal access to justice. The process to fix this gross inequity starts with an ADA study of the Temple of Justice. (General Fund-State)

#### Fiscal Summary:

	FY 2024	FY 2025	Biennial	FY 2026	FY 2027	Biennial
<b>Staffing</b>						
FTEs	0.00	0.00	0.00	0.00	0.00	0.00
<b>Operating Expenditures</b>						
Fund 001-1	\$0	\$250,000	\$250,000	\$0	\$0	\$0
<b>Total Expenditures</b>						
	\$0	\$250,000	\$250,000	\$0	\$0	\$0

#### Package Description:

The Temple of Justice (TOJ), which houses the Washington State Supreme Court and the State Law Library, is the first building built on Washington’s Capitol Campus, and is 110 years old. It predates building codes and accessibility requirements, and while improvements over time have made minor changes to accessibility for the Justices and Court staff, the building itself remains largely inaccessible to anyone who has difficulty using stairs.

A simple walkthrough of the building would highlight an extensive list of accessibility issues. For instance, there are four exterior doors used by the public. None are ADA-accessible. There is only one entrance (a historic, heavy metal door) at the TOJ with a badge reader. This one door – the sole after-hours entry point – does not automatically close, often fails to latch, and is not compliant with ADA standards.

Almost none of the interior doors are ADA-accessible. The large marble thresholds at each door of the building are *double* the ADA maximum height for door thresholds, requiring staff or library patrons in wheelchairs to back up and take a fast approach in order to get over them, or to have personal assistance in lifting the wheelchair (and individual) over the threshold. Not only is this a humiliating situation for the individual trying to access the building, it is a terrible risk for injury to both the staff and the public.

The sole public ADA entrance requires entering on the lower level and taking an elevator to the main level for the courtroom, Clerk’s Office or Law Library. The current route from the elevator to the Clerk’s Office and the courtroom is

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through a back hall in the law library, but it is too narrow to be ADA-accessible, so an individual that cannot use stairs can get into the building, but is unable to navigate anywhere within the building.

There is currently little signage outside or inside the TOJ that directs the public, and very little ADA signage. Lack of signage hinders accessibility and increases the likelihood of the public accidentally entering high-security and private spaces in the building.

The Temple of Justice urgently needs a thorough ADA-accessibility evaluation of the building and its adjacent grounds. While as previously stated above, there are many known ADA violations throughout the building, there has not been a full expert evaluation of the building and what changes are required to make it accessible to people with disabilities. In addition to the examples previously cited, the reference desk in the beautiful Main Reading Room of the Law Library is not accessible to patrons with disabilities. Most of the bathrooms are not ADA-accessible. The courtroom's podium is not height-adjustable, and thus is not accessible to many people with disabilities.

The Supreme Court requests funding for a comprehensive, expert review of the deficits in the building needed to address security, safety and ADA-accessibility issues. This review will help the Court and the Department of Enterprise Services, which manages the building, better understand what improvements must be made in order to meet minimum requirements. While an assessment was undertaken in 2018, it did not include an ADA-accessibility assessment.

**Fully describe and quantify expected impacts on state residents.**

The Temple of Justice is a public building that should be accessible to all members of the public. There is no log that tracks the number of individuals that are unable to access the TOJ due to disability, but according to the Census Bureau, approximately 700,000 individuals in Washington state reported living with a disability. If any one of those 700,000 individuals showed up to visit the Temple of Justice to take a tour, participate in a case, or utilize the resources of the State Law Library, they would likely be unable to access the building.

**Explain what alternatives were explored by the agency and why this was the best option chosen.**

Over the past 110 years, the Court has utilized the resources available to fix urgent concerns and issues. However, many of these fixes were one-off solutions that only put off the inevitable updates that need to be made to them. This ad hoc approach is neither feasible nor desirable, as a comprehensive assessment and capital investment is needed to bring the building up to safety and ADA compliant standards.

**What are the consequences of not funding this request?**

The Temple of Justice would remain inaccessible to the approximately 700,000 individuals who reported having a disability. The State would suffer losses in credibility as it enforces ADA-accessibility standards as part of building codes around the state, but not on its own Capitol Campus.

**Is this an expansion or alteration of a current program or service?**

No.

**Decision Package expenditure, FTE and revenue assumptions:**

This request assumes the Supreme Court would contract with a qualified entity to perform the study that would be required. Estimated costs are approximately \$250,000 on a one-time basis.

**How does the package relate to the Judicial Branch principal policy objectives?**

By providing an updated and secure facility for the staff, Justices and general public, the Court would be able to better meet its accessibility objective. If the building is left in its current state, it excludes certain members of our community,

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most notably individuals with disabilities, from entering and navigating the building to obtain services. This undermines the objective of fair and effective administration of justice.

**Are there impacts to other governmental entities?**

None.

**Stakeholder response:**

Response from the community of individuals living with disabilities and organizations that advocate on their behalf is likely to be highly positive.

**Are there legal or administrative mandates that require this package to be funded?**

No.

**Does current law need to be changed to successfully implement this package?**

No.

**Are there impacts to state facilities?**

Not directly within this package, but facility upgrades are likely to result from a future study.

**Are there other supporting materials that strengthen the case for this request?**

Not applicable.

**Are there information technology impacts?**

No.

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