



Northwest Justice Project

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César Torres
Executive Director

April 26, 2007

Hon. Ronald R. Carpenter
Clerk of the Supreme Court
Washington State Supreme Court
P.O. Box 40929
Olympia, WA 98504-0929

RECEIVED
SUPREME COURT
STATE OF WASHINGTON
07 APR 30 AM 8:24
BY RONALD R. CARPENTER
CLERK

RE: Comment on Proposed General Rule (GR) 33

Dear Mr. Carpenter:

I am writing on behalf of the Northwest Justice Project in wholehearted support of the Court's adoption of Proposed General Rule 33. The proposed rule sets out a unified process by which persons with disabilities may obtain reasonable accommodations as needed and appropriate when they are specifically engaged in a proceeding before the courts of this state. This is an important step forward and will secure the access rights of persons with disabilities as required by the Americans with Disabilities Act and the Washington Law Against Discrimination. In particular, the proposed rule implements the fundamental right of access to the courts and the mandate of *Tennessee v. Lane*, 541 U.S. 509 (2004) (holding that state courts are places of public accommodation under Title II of the Americans with Disabilities Act and must provide reasonable accommodations for persons with disabilities).

The Northwest Justice Project applauds the Court's leadership in all aspects of access to justice and the proposed rule is one more example of this leadership. In the wake of *Tennessee v. Lane* courts throughout the country have understood their obligation to reasonably accommodate persons with disabilities and many have adopted similar rules to assure compliance. This rule sets out a process that will be implemented on the local level and in accordance with individual and local court needs. The rule goes hand in hand with the recently published *Ensuring Equal Access for People with Disabilities: A Guide for Washington Courts* (Aug. 2006). The *Guide* expands on the information previously included in the Superior Court Judges Association *Quick Reference to Disabilities in the Courtroom* (2002) and provides help for judges at all levels. The proposed rule was developed in concert with the *Guide* and reflects many of the broad considerations discussed therein.

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In short, proposed GR 33 is a truly welcome development and will ensure that persons with disabilities are not forced to forgo their access to and participation in important court proceedings. Again, NJP fully supports adoption of GR 33.

Sincerely,

A handwritten signature in black ink, appearing to read "César Torres", with a long horizontal flourish extending to the right.

César Torres

Executive Director

C Douglas J. Ende, WSBA

Joan Fairbanks, Justice Programs Manager

NJP Board