

Readily Accessible Legal Services: How to Include and Communicate with People with Disabilities



October 8, 2026

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MacLeod, Disability Rights Education & Defense Fund**



Housekeeping

This is a Zoom Webinar

- All attendees are muted, and cameras are turned off.
- If there is enough time, we will take questions at the end.

Live Captioning is Available

- Select “Show Captions” in the Zoom meeting control bar to enable captions, and to view the full transcript. There is a drop down menu to choose English or Spanish language.
- Or, to get the captions in a web browser, go this link bit.ly/DREDF-CART, which will also be dropped in the Chat.

Please use the Q&A or reach out to Drew McKay by email at dmckay@dredf.org with any questions and/or comments.

Disability Rights Education & Defense Fund **DREDF**

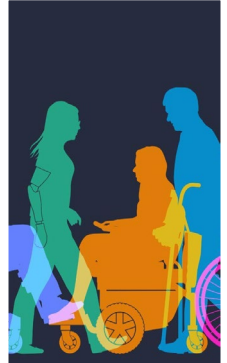
- Unique alliance of people with disabilities and parents of children with disabilities.
- National law and policy center dedicated to protecting and advancing disability civil and human rights.
- Disability rights are civil rights.
- **Vision:** a just world where all people live full and independent lives free of discrimination.
- Educate lawyers, legislators, policy makers, and self-advocates on issues affecting rights of people with disabilities.

Topics

- Introduction: disability basics
 - What is Disability?
 - Definition of Ableism
 - The Importance of Accommodations and Accessibility
 - Capacity and Self-Determination
- Figuring Out Accommodations
- Readily Accessible Legal Practices
 - Effective Communication & Delivering Information
 - Setting Up Spaces
 - Interacting with Clients
 - Supporters
- Questions

Disabled People Include People with...

- Mental health & psychiatric disabilities
 - PTSD
 - Bipolar disorder
 - Schizophrenia
 - Depression
 - Anxiety
 - OCD
- Intellectual and developmental disabilities (I/DD)
 - Autism, ADHD, neurodiversity
 - Down Syndrome
 - Cerebral Palsy
 - Learning disabilities
- Physical/Mobility disabilities
- Sensory disabilities
 - Deafness
 - Blindness
- Neurological disabilities
 - Dementia, Alzheimer's
 - Traumatic brain injury (TBI)
- Chronic conditions like:
 - Asthma
 - COPD
 - Diabetes
 - High blood pressure
 - Kidney disease
 - History of cancer
 - Long COVID

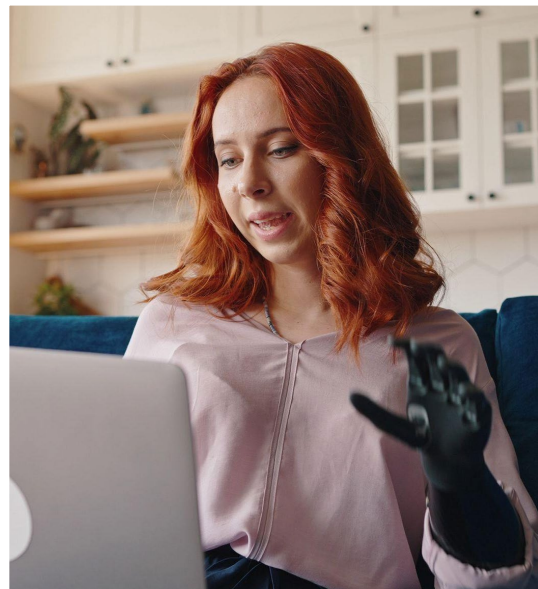


***This is a non-exhaustive list**

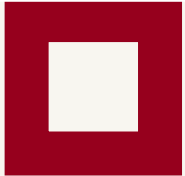
What is a Disability?

Under the Americans with Disabilities Act (ADA), an individual with a disability is:

- A person with a physical or mental impairment that substantially limits one or more major life activities
- A person who has a history or record of such an impairment
- A person who is perceived by others as having an impairment – can be shown via adverse action



Social Model of Disability



- Disability is not a divergence from what is “normal” but an aspect of a person’s identity
- Disability results from a mismatch between the disabled person and their environment (physical, social, economic)

Talking About Disability With Clients

- Person-first versus disability-first language - preferences vary in the disability community
- Don't assume that because you are aware of a condition that might qualify for protection under the ADA that the client identifies as disabled
 - For example, many people with diabetes do not self-identify as disabled despite falling within the legal definition of disability
- Mirror the client's language



What is Ableism?

"A system of assigning value to people's bodies and minds based on societally constructed ideas of normality, productivity, desirability, intelligence, excellence, and fitness. These constructed ideas are deeply rooted in eugenics, anti-Blackness, misogyny, colonialism, imperialism, and capitalism.

This systemic oppression leads to people and society determining people's value based on their culture, age, language, appearance, religion, birth or living place, 'health/wellness' and/or their ability to satisfactorily re/produce, 'excel,' and 'behave.'

You do not have to be disabled to experience ableism."

- A working definition by [Talila A. Lewis](#), Esq., multilingual abolitionist, artist, educator, writer, movement strategist, and community lawyer

Trauma's Role

Trauma is endemic to many of our client's lives. Trauma, poverty, and disability are inextricably intertwined

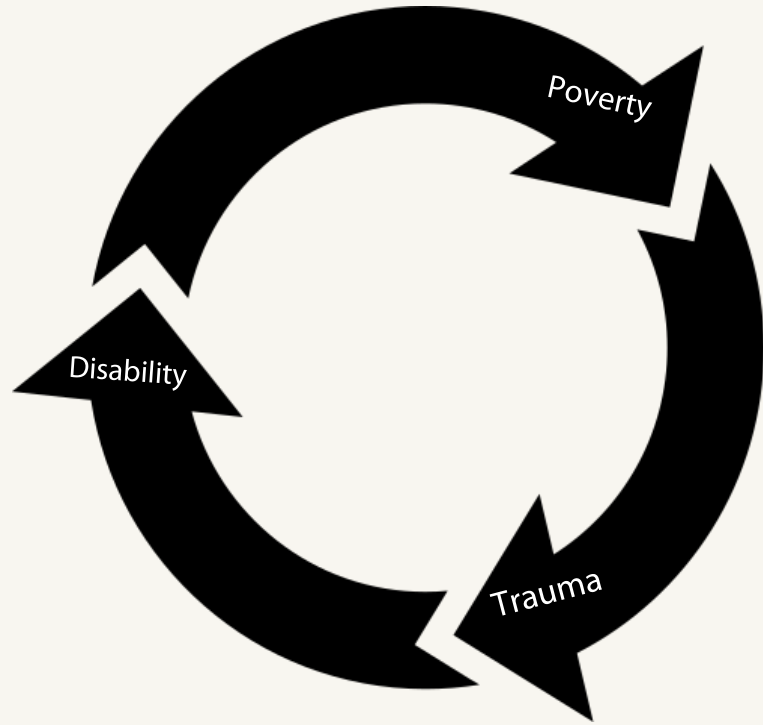
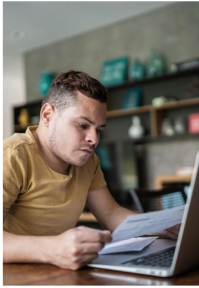


Image Credit: T. Lewis
2017

The Importance of Accessibility and Accommodations



Accessibility and Accommodations: Matters of Justice

What do we mean by “access” and increasing “accessibility”?

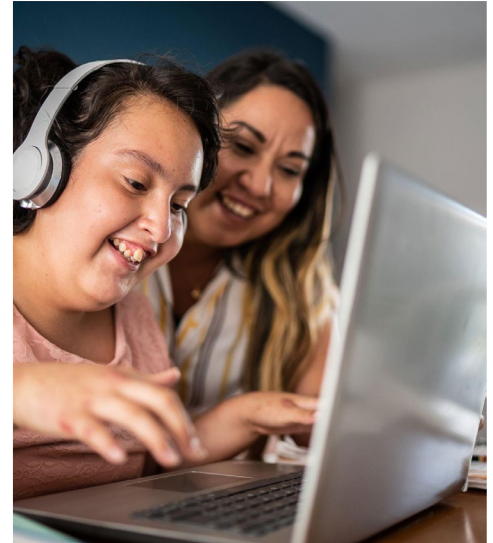
- Inaccessibility exists because certain groups of people were/are not considered or were/are intentionally excluded
- Increasing accessibility means **proactively** considering disability-related needs and making services and information **readily accessible** for everyone, including disabled and non-disabled individuals

Accessibility and Accommodations: Matters of Justice (con't 1)

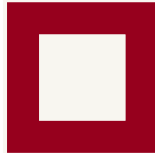
What is an “accommodation”?

- Adjustments or changes to practices that allow someone to be included and participate equally
- “Reasonable accommodations” are required under disability laws
- More **reactive** and based on an individual’s particular needs

Increasing accessibility and providing accommodations can combat ableism



Accessibility and Accommodations: Matters of Justice (con't 2)

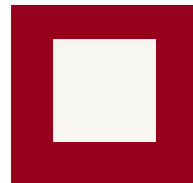
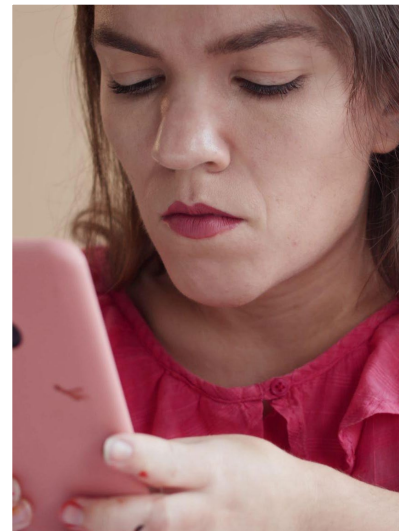


What does “readily accessible” mean?

- Spaces and practices are "readily accessible" when they are accessible by default to people with a wide range of disabilities, regardless of whether they disclose their disability.
- Readily accessible practices benefit disabled and non-disabled people.



Capacity & Self- Determination

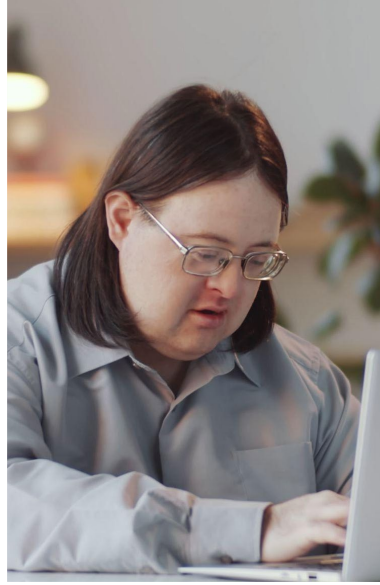


Capacity

- Capacity is spectrum – not yes/no question
 - Changes with context, topic, emotional & physical state, etc.
 - Ex. Person may have capacity to make legal decision without understanding every aspect of the law or the legal procedure
- Capacity is changeable and can be strengthened
 - Plain language
 - Reasonable accommodations: time of day; format, duration, location of meetings; breaks; repetition
 - Supported decision-making (SDM)
 - Assess capacity with supports in place

Self-Determination and Dignity of Risk

- Self-determination
 - Legal and social systems can take away decision-making rights from disabled people, while others perceived as “normal” are allowed to make their own decisions
 - Autonomy to direct care, services, and life choices increases feelings of competency, autonomy, and connectedness → better outcomes
- Dignity of Risk
 - Respect for the right of disabled people to make their own decisions to participate in a broad range of activities they want to engage in – even if those activities have risk or seem ill-advised to other people



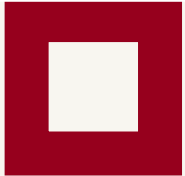
Figuring Out Accommodations



Talking to Clients About Accommodations

- Ask about disability accommodations in a simple, concrete, nonjudgmental way.
 - General question: *Do you have any access or communication needs that I should know about?*
 - If you recognize the client is struggling with particular tasks you can ask more targeted questions: *Is there anything I can do to help you understand this information?; Sometimes people have trouble keeping track of dates and times – would it help if we call you the day before your meeting?*
- Be ready to ask more detailed questions and come up with potential alternatives
 - *How does this accommodation help you? Are there common accommodations that usually don't work for you?*
- Listen to what the person says – they often know what works

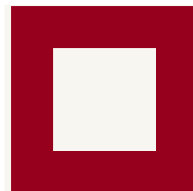
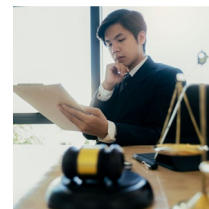
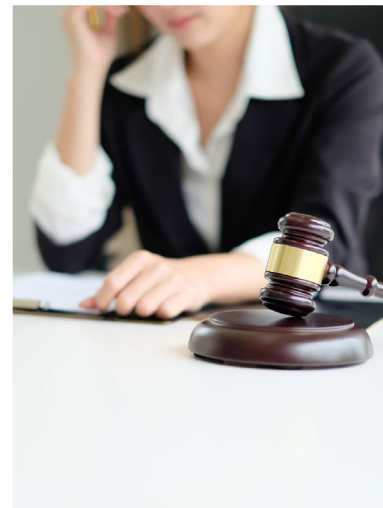
Talking to Clients About Accommodations (con't)



- Some people may not know what would help – be ready to brainstorm solutions
- Look at what accommodations have been used for certain disabilities and disability-related needs in other contexts: askjan.org/a-to-z.cfm
- Discuss whether accommodations are needed in court or for resolving an issue in the underlying legal matter



Readily Accessible Legal Services



Readily Accessible Legal Services

- Make your default practices accessible for wide range of clients – regardless of whether you know a client has a disability
- What does it look like?
 - Plain language - avoid legalese in your language, forms and resources
 - Make implicit explicit – don't assume background knowledge
 - Humility, curiosity, attentiveness, compassion
 - Flexibility and responsiveness
 - Trauma awareness
 - Be ready to implement common accommodations
 - Practice asking people what support allows them to fully participate

Making Services Readily Accessible for People with Mental Disabilities

- Mental disabilities (psychiatric, intellectual, cognitive, attention, learning) can be less visible, and it may be less apparent what accommodations are needed
 - Less disclosed due to fears/past experiences of stigma
- Ask person what would be helpful
- Consider tailoring:
 - How you deliver information
 - How you choose or set up spaces
 - How you interact and ask questions
 - How you engage with supports



Effective Communication & Delivering Information



Effective Communication

- Effective communication means communication that is ***as effective*** as communication with non-disabled people. It allows a person with a disability to communicate with, receive and understand information from, and convey information to others
 - Disability rights laws require you to communicate effectively with clients with disabilities
 - Ask clients before meeting with them if they have any communication needs or use any tools to help them communicate

Effective Communication - Auxiliary Aids and Services

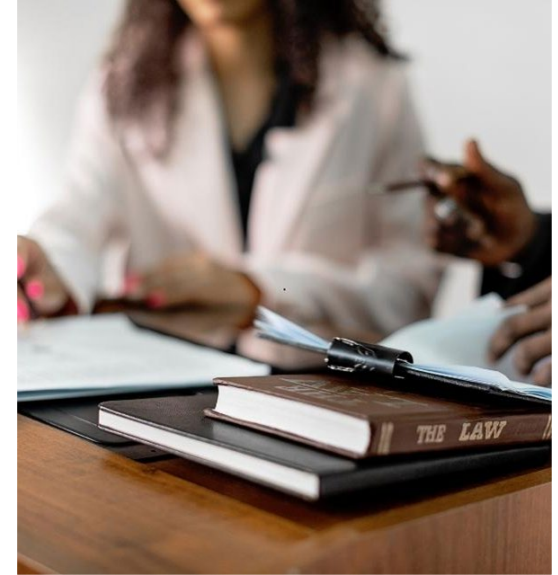
- Communicating effectively might require providing “auxiliary aids and services.” Some common examples are:
 - Qualified interpreters
 - In-person or through video remote interpreting (VRI)
 - Interpreting teams including one Deaf interpreter and one hearing interpreter
 - Real-time captioning, particularly for video meetings
 - Assistive listening devices and systems (e.g. pocket talker, speech to text)
- **These services must be offered free of charge**

Effective Communication - Working With Interpreters

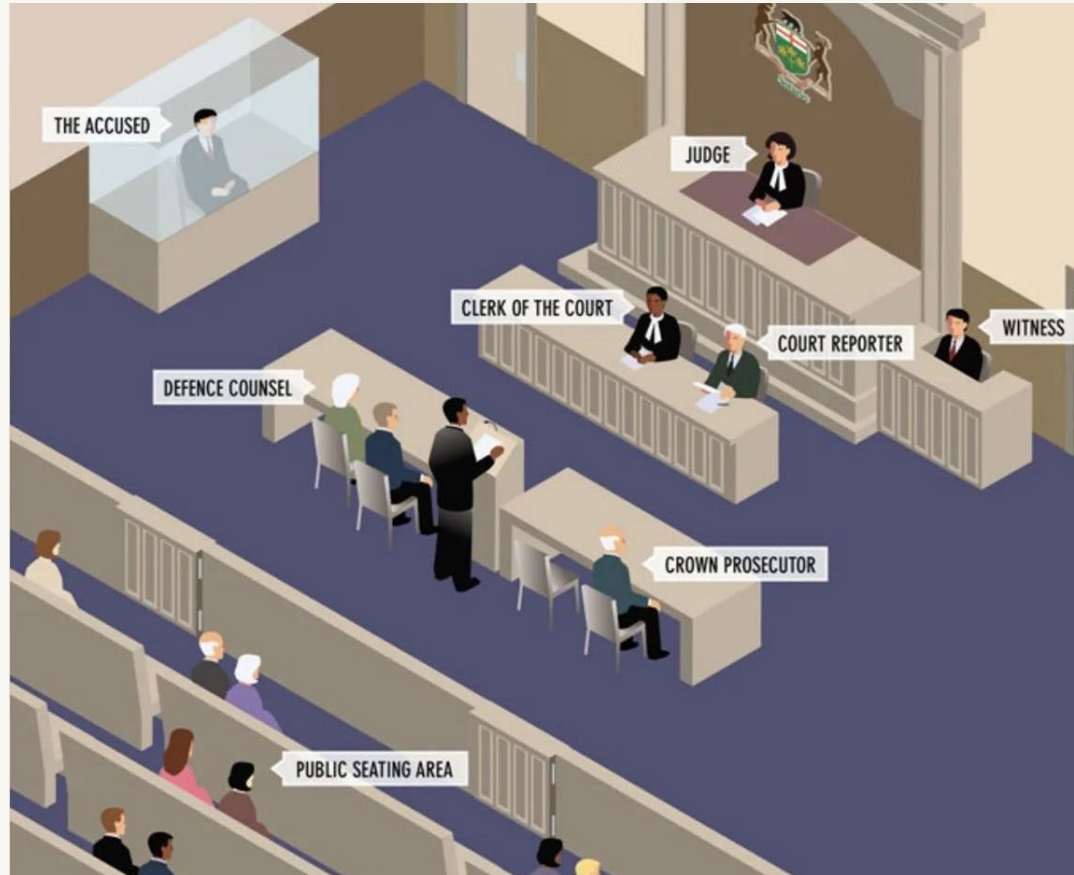
- Arranging the interpreter
 - Have contracts with interpreting services in place
 - If you are meeting in-person, an in-person interpreter is generally preferred
 - Some clients may need an interpreting team with an ASL interpreter and a Deaf interpreter if they use non-standard ASL or ASL is not their first signed language
 - For meetings heavy on legal procedure, book a legal interpreter
- Ensure the client can see you and the interpreter at the same time
- Speak directly to the client, not to the interpreter
- Speak slowly, and pause every couple of sentences to allow the interpreter to catch up
- Pause to allow the client to ask questions

Effective Communication - Delivering Information

- Make sure your information is easy for many kinds of people to understand. **Plain language at 4th grade level**
- Have a notepad handy to utilize **visual aids**
- Use additional/alternative options for color to convey information.
- Give information one piece at a time
- Check with respondent to see if they are following, go slowly – ask to repeat back



Case Example: Using Visual Aid



Case Example: Using Plain Language

The screenshot shows the Hemingway Editor interface. At the top, the logo "Hemingway Editor" is on the left, and a toolbar contains "Rewrite Pro", "Paragraph", "B", "I", and a link icon. A "Menu" button is on the right. The main text area contains three paragraphs. To the right of the text, there are several feedback boxes: a "Write Edit" toggle, a "Readability Grade 2 Good" indicator with a bar chart icon, a "Words: 147" count with a "Show more stats" link, and five colored boxes with feedback: "0 adverbs. Well done." (blue), "0 uses of passive voice. Nice work." (green), "0 phrases have simpler alternatives." (purple), "0 of 15 sentences are hard to read." (yellow), and "0 of 15 sentences are very hard to read." (red).

Hemingway Editor

✎ Rewrite **Pro** Paragraph ▾ B I ↻

Menu ▾

Hemingway App makes your writing bold and clear.

You want to be in charge of your money. We want you to be in charge of your money.

Having a SLS worker does not mean you lose control of your money. Your SLS worker helps you buy things you want to buy. Your SLS worker helps you decide your budget. The Regional Center is not trying to have other people take your money.

I know people in the past tricked you. They said they would help you and took your money. We want to avoid that happening. We can avoid bad people by making a plan. A written plan tells you and the SLS worker what the rules of money are. If your SLS worker does not follow your written plan, we can complain. But if we do not have a written plan, people will blame you instead.

Write Edit

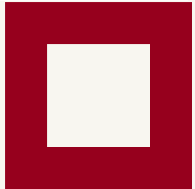
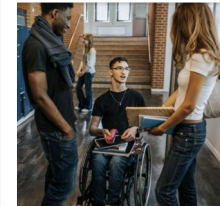
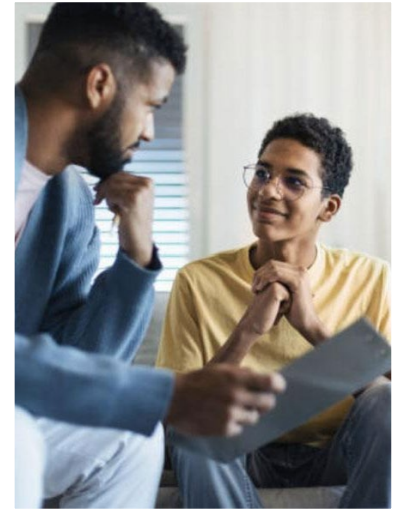
Readability 📊
Grade 2
Good.

Words: 147
Show more stats ▾

- 0 adverbs. Well done.
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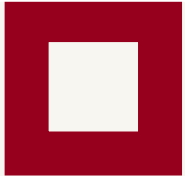
Accessible Spaces



Choosing a Space

- An important way to make default practices accessible to people with disabilities is to meet clients in an accessible location
- Consider availability and accessibility of
 - Parking
 - Transit
 - Bathrooms
 - Elevators
 - Service animals and emotional support animals
- Minimize sensory overload – avoid bright lights, loud areas, strong smells
- If your default location for meeting clients is not accessible, consider meeting disabled clients in an alternative accessible location or via an alternative format.

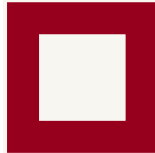
Setting Up a Space



Many individuals with mental disabilities report difficulties in sensory processing. Setting up the space in an accommodative way can help.

- Provide a variety of chair sizes; seating available for supporters; or a place for a wheelchair
- Allow for support person or support animal to be near
- Provide snacks, water, sensory tools
- Reschedule appointments if person cannot focus due to disabilities

Additional Considerations when Meeting with Unhoused People



Many individuals experiencing homelessness have the additional stress of ensuring their belongings are safe and secure. Think of ways to reduce this stress if they need to go to a meeting at your office or at court.

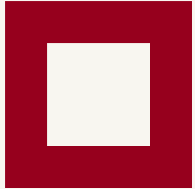
- Provide a secure safe space for people to temporarily store their belongings
- Make Zoom or Google Meet options available

Phone/Video Meetings

- Phone calls may pose challenges for some clients. You can take steps to make phone calls more accessible:
 - Make a plan before phone call to support access needs
 - Provide plain-language questions/agenda ahead of time
 - Remind clients to try to find a quiet comfortable space to chat
 - Schedule meetings during times when clients have better access to quiet space
 - Ask whether they would like to have a supporter
- Video calls over zoom/google meet/teams may allow easier communication, but some clients feel uncomfortable being on camera due to anxiety, pain, or disability-related grooming challenges



Interacting with Clients



Interacting with Clients - General Guidelines

- Express compassion and empathy
- Ask how you can support
 - *“How do you best remember things? Would text reminders help?”*
- Don't dispute the person's understanding of their disability or situation – meet people where they are
 - Mirror their language about their disability or situation
 - Ask open-ended questions to identify preferences, values, decision points
 - Self-identification as “disabled” isn't required to make use of or be entitled to disability rights protections

Interacting - Setting Up the Meeting

- Include a time cushion (an interview that typically lasts 30 min. might need an hour)
- Level-set at the beginning
 - In plain language, say what main questions you would like answered
 - Offer schedule/agenda to show how long you plan to talk about each thing
 - Ask about accommodations and be ready to employ them
 - Offer notetaking, speech-to-text, CART captions, ASL, etc as appropriate
 - Offer breaks ahead of time and let clients know they can ask for pauses or rescheduling if interview becomes overwhelming
 - Let client know you plan to ask them to explain things in their own words at various points

Interacting - Asking Questions

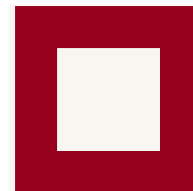
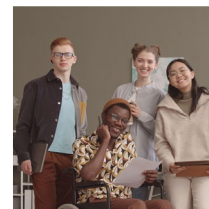
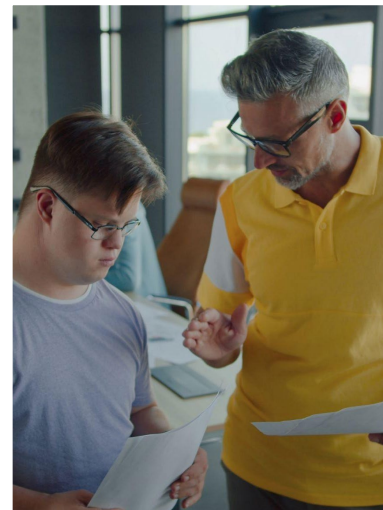
- Mirror individual's level of communication where possible.
 - Example: If person talks in shorter sentences, or pauses, build that into how you ask questions or explain.
 - **Beware of babytalk**
- When asking for more information, give examples of what information is helpful
 - Example: Say your client is attempting to secure services through the Regional Center as an adult and you need to gather information about qualified disability for the application process.
 - You can ask: *Do you have any records or history of a disability? For example, some clients have an IEP record from school or records from SSI that diagnosed them with certain disabilities.*

Interacting - Asking Questions

- Plan to ask client to repeat your question or an understanding of where you are in the agenda in their own words
 - *Suggestion: I want to do my best for you. I want to make sure that we understand what each other is saying so I can do my best. Can you let me know in your own words [insert]*
- Repeat back client responses that are relevant to your questions
 - *Example: Thank you for all that information. You said you remember being in smaller classrooms as a kid. You also said you remember someone assigned to only help you. I can explain later why what you shared is important.*



Supporters



What Roles Supporters Can Play

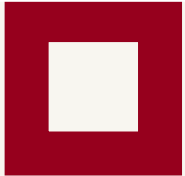
- Supporters are trusted adults chosen by clients. Supporters can:
 - Assist clients with logistics such as scheduling meetings and arranging transportation
 - Help clients communicate – for example, repeating a client's words if speech is difficult to understand
 - Help clients understand legal or other complex concepts
- But remember, the client is the client, not the supporter



Supported Decision-Making



- Supported decision-making ("SDM") is an individualized arrangement where a disabled adult chooses one or more people they trust as supporters to help them understand, communicate, make, or act on their own choices
 - Can be a formal (written) or informal agreement
 - Can strengthen capacity and avoid the need for a conservator in decision-making
 - California recognizes supported decision-making as a less restrictive alternative to conservatorship



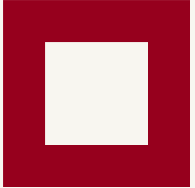
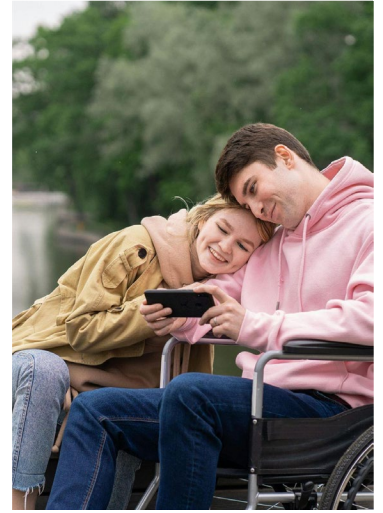
Supporters and Attorney-Client Privilege

- Cal. Rules of Prof. Conduct, Rule 1.6 and Cal. Bus. & Prof. Code § 6068(e)
- Cal. Evid. Code §§ 952, 954, exclusions include “those present to further the interest of the client in the consultation” and “those to whom disclosure is reasonably necessary” for communication or accomplishing the purposes of the consultation.
 - Law Revision Commission Comments, Cal. Evid. Code § 952, examples include spouse or parent present to further interest of client
- Comment to ABA Model Rule 1.14, when necessary to assist in the representation, presence of family members or other supporters generally does not affect privilege - persuasive authority

More at DREDF's next ICLS training



Questions?





Thank you!

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