



The Right to Aids and Services for Deaf and Hard of Hearing People in Washington's Legal System

This memo gives information about what help and services you can get as a Deaf or hard of hearing person in a court in Washington.

What Services Must a Washington State Court Give to Me as a Deaf or Hard of Hearing Person?

Deaf and hard of hearing persons can rely on either **Federal or State law** to ask for help in State court and court-related proceedings – or on both. Federal and state laws require a Washington State court or a state agency that is involved in the legal system to give appropriate “auxiliary aids and services” to Deaf and hard of hearing people involved in any type of court process or case. You have a right to these services if you are involved in any way, whether you are a party in the case (you are the person who filed or is named in the case), a witness, a victim, a juror, or if you are there representing a State Court or other agency involved.

“Auxiliary aids and services” include, among other things:

- Qualified interpreters
- Note takers
- Transcription devices (something that turns spoken words into writing)
- Written materials
- Assistive listening systems
- Videotext displays (video with closed-captioning)

The laws that support the statements in this memo include Part A of Title II of the Federal Americans with Disabilities Act (ADA), 42 USC 12131-12134 (United States Code), Federal regulations which help enforce the ADA, 28 CFR Part 35 (Code of Federal Regulations), and RCW 2.42 (Revised Code of Washington, the laws of the State). Keep in mind that these references are up-to-date as of the date this packet is published. The law sometimes changes before the packet can be updated. See “More Resources” at the end for how to look up the specific laws mentioned here.

In choosing which service is most appropriate to use, the court or agency must take into account what you ask for.

Do I Have to Pay for These Services?

No. The court may not charge you for the aids and services they provide to help you participate in the process.

What Is a “Qualified Interpreter?”

A “Qualified Interpreter” is an interpreter who is able to use Sign Language to interpret and share information correctly and well. They should be able to take in and give out information and be able to use any special legal or other terms that are needed. They also must be “impartial,” meaning that they do not share their own opinions and cannot themselves be involved, like if they were a family member or working for one of the agencies involved.

Under Washington State law, a “qualified interpreter” must have certifications from the state or the Registry of Interpreters for the Deaf, or must be able to easily translate statements made by speech-impaired people.

Under State law, you also have the right to a “qualified interpreter” as well as an “intermediary interpreter,” who helps the qualified interpreter communicate with you or interpret different versions of Sign Language.

What Kinds of Court Processes Can I Receive Services For?

You have the right to services in any kind of court case or process, including:

- Criminal court cases
- Any process where you might end up being jailed or committed or where you might face a criminal penalty
- Any criminal interview or arrest
- Civil court cases (like a divorce, housing, or child custody case)
- Appearances in front of a jury, grand jury, or any kind of judge
- Juvenile proceedings (like if you are the parent of a child who is involved in a court case)
- Adoption cases
- Any court-ordered program like drug treatment, probation, or a mediation

What Services Must a Federal Court Give to Deaf and Hard of Hearing People?

Federal law says that a federal court must provide an interpreter who is certified by the Director of the Administrative Office of the United States Courts or an otherwise qualified interpreter, if someone involved in a court case has a hearing impairment that makes it hard for that person to understand what is happening or to be able to communicate or answer questions. This applies to parties in a case or to a witness who is testifying. Federal courts are also required to provide they types of assistance and services listed above, including:

- Note takers
- Transcription devices (something that turns spoken words into writing)
- Written materials
- Assistive listening systems
- Videotext displays (video with closed-captioning)

What Services Must a Lawyer Provide to Deaf and Hard of Hearing People?

Federal law says that a Washington State lawyer also has to provide appropriate “auxiliary aids and services” to Deaf and hard of hearing people who are clients or who may become clients. The “auxiliary aids and services” a lawyer must provide include the same services a court must provide:

- Qualified interpreters
- Note takers
- Transcription devices (something that turns words that are spoken into writing)
- Written materials
- Assistive listening systems
- Videotext displays (video with closed-captioning)

Do I Have to Pay for These Services?

No. A lawyer may **not** charge you for these services. However, if the lawyer can prove they cannot afford these services, they may be able to provide a different type of service or none at all. If your lawyer was appointed by the court (a public defender), the court has to pay for any interpreters needed for meetings that happen outside of court.

How Do I Ask for an Interpreter or Other Services for My Court Case?

To ask for an interpreter in court, call the following contacts:

King County Superior Court, Office of Interpreter Services:

Downtown Seattle	Kent Regional Justice Center
TTY: 206-205-5048	TTY: 206-205-2655
Voice: 206-296-9358	Voice: 206-205-2519

<http://www.kingcounty.gov/courts/SuperiorCourt/InterpSrv.aspx>

Contact the Office at least one week in advance.

All King County District Courts: Call the District Court Main Phone Line at 206-205-9200. After listening to the message, stay on the line to speak to a staff person, who will connect you with the right clerk to order an interpreter for you.

Seattle Municipal Court: Contact 206-733-9075 (interpreters for in-court only)

You must place your order for an interpreter at least three days before your hearing. You will need to give the clerk the following information: your name and telephone number; date and time of hearing; case name and number; and language needed (ASL, PSE, SEE, tactile, close vision, and/or Oral). Interpreters for criminal cases are provided free of charge. For civil cases, you may be charged a fee per hour. If you are low-income, speak with your court clerk about how to get help paying for this service.

Other Counties: Call your court clerk to find out how to arrange for an interpreter.

When asking for an interpreter in a State court, you may need to fill out a “Request for Accommodation” form, which will explain the kinds of services you are asking for. You can find the form at: <http://www.courts.wa.gov>. Click on “Forms” at the left, then go to the “General Section” and click on “GR33 Request for Reasonable Accommodation.”

Federal Court: Ask for the Interpreter Coordinator at the court:

Seattle: 206-370-8427	Tacoma: 253-882-3817	Richland: 509- 943-8170
Spokane: 509-458-3400	Yakima: 509-573-6600	

Where Can I Find an Interpreter for Outside of the Courtroom and Other Services?

The Office of the Deaf and Hard of Hearing (ODHH) is a part of the State’s Department of Social and Health Services. ODHH works through regional service centers to give help to Deaf and hard of hearing communities. To contact ODHH:

360- 902-8000 (TTY/Voice)
800-422-7930 (TTY/Voice)
Online: odhh@dshs.wa.gov
Videophone: 360-339-7382, IP Address: 65.113.246.110

Regional Service Centers:

Hearing Loss Center, Spokane
TTY/Voice: 509-328-3728
Email: interpreterservices@hlc-ewa.org
After Hours: 509-990-9674

Hearing, Speech & Deafness Center,
Seattle (King, Snohomish, Jefferson,
Clallum, & North Kitsap counties)
TTY: 206-388-1275
Voice: 206-323-5770 or 1-888-222-5036
Videophone: 206-452-7953

Email: seattle@hsc.org

Hearing, Speech & Deafness Center
South Sound, Tacoma (Pierce, Grays
Harbor, Thurston, Mason, & South
Kitsap counties)
TTY: 253-474-1748 or 1-866-698-1748
Voice: 253-475-0782 or 1-866-421-5560
Videophone: 253-292-2209
Email: tacoma@hsc.org

Hearing, Speech & Deafness Center
North Sound, Bellingham (Whatcom,
Skagit, San Juan & Island counties)
TTY: 360-647-8508 or 1-877-647-8508
Phone: 360-647-0910 or 1-866-647-0910
Videophone: 360-255-7166
Email: bellingham@hscd.org

South Eastern Washington Service
Center of the Deaf and Hard of Hearing,
Pasco (Adams, Asotin, Benton,
Columbia, Franklin, Garfield, Kittitas,
Klickitat, Walla Wall, and Yakima
counties)

TTY/Voice: 509-543-9644
Emergency Line: 509-205-2284 Email:
interpretingsewscdh@safe-mail.net

Southwest Washington Center of the
Deaf and Hard of Hearing, Vancouver
(Clark, Cowlitz, Lewis, Pacific,
Skamania and Wahkiakum counties)
TTY/Voice Toll-Free: 1-866-695-6777
TTY: 360-695-9720
Voice: 360-695-3364
Videophone: 360-334-5740

More Information

To Find Federal Statutes (Laws) and Regulations Online:

For the U.S. Code (USC), visit <http://codes.lp.findlaw.com/uscode>. For rights in State and local courts, click on Title 42 and then Chapter 126. For rights in Federal courts, click on Title 28 and then Part V, then Chapter 119, then Section 1827.

For the Code of Federal Regulations (CFR), visit <http://www.law.cornell.edu/cfr/text/>, then Title 28, then Chapter I, then Part 35.

To Find State Laws (RCWs):

RCWs: <http://www.findlaw.com/casecode/washington.html> or <http://legalwa.org/>. Click on Revised Code of Washington, then Title 2, then Chapter 2.42.

To Find Laws in Person: You may visit your county law library in your superior courthouse.

For More Information about Interpreters:

Contact the Registry of Interpreters for the Deaf, a national professional association:

TTY: 703-838-0459

Voice: 703-838-0030

Website: www.rid.org

For More Information about Your Rights:

Contact Northwest Disability and Business Technical Assistance:

TTY/Voice: 1-800-949-4232

Website: <http://www.dbtacnorthwest.org>

This publication provides general information concerning your rights and responsibilities. It is not intended as a substitute for specific legal advice. This information is current as of December 2012. Updated by Jennifer Werdell, 12/13/12.

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