

Disability Etiquette —

Interacting With Persons with Disabilities



Circuit Court of Lake County
Nineteenth Judicial Circuit

With thanks to

California Bar Association
City of Long Beach, California
City of San Antonio, Texas
United Spinal Association

Greetings:

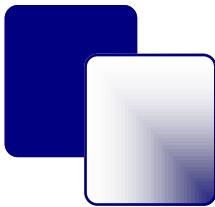
Nearly 300 people work for the Nineteenth Judicial Circuit, Circuit Court of Lake County. Over the course of a year we interact with countless thousands of individuals including lawyers, clerks, court reporters, jurors, litigants, defendants, witnesses and members of the general public. It is inevitable that some of these individuals we come into contact with may have a disability which requires us to provide some type of additional assistance.

The purpose of the *Disability Etiquette — Interacting With Persons With Disabilities* handbook is to provide staff with information and helpful tips on how to interact with these individuals with respect and dignity. It is part of the ongoing effort by the court to provide equal access to justice to all of the persons involved with the Lake County Courts.

We hope you find the handbook beneficial and informative.

Sincerely,

Circuit Judges
of the Nineteenth Judicial Circuit



AMERICANS WITH DISABILITIES

The Americans with Disabilities Act (ADA) was signed into law on July 26, 1990. The purpose of the Act is to:

- Provide a clear and comprehensive national mandate to end discrimination against individuals with disabilities.
- Provide clear, strong, consistent, enforceable standards addressing discrimination against individuals with disabilities.
- Ensure that the Federal Government plays a central role in enforcing the standards on behalf of individuals with disabilities.

The term *disability* is defined as a physical or mental impairment that substantially limits one or more of a person's major life activities, a record of such impairment, or being regarded as having such an impairment.

The ADA gives people with disabilities civil rights protection similar to protection provided to individuals on the basis of race, sex, national origin, and religion. It guarantees equal opportunity for individuals with disabilities in:

- employment
- public accommodations
- transportation
- state and local government services, and
- telecommunications.

GENERAL PROTOCOL

The abilities, rather than disabilities, of people should be emphasized. People should be stressed first, not their disabilities. The term "*handicapped*" should be avoided. The preferred usage is "*people with disabilities*" or "*persons with disabilities*".

Be Yourself

Treat people with disabilities with the same respect and consideration that you would everyone else. Treat the person as an individual, not as a disability.

Use a normal voice when extending a verbal welcome. Do not raise your voice unless requested. As in any new situation, everyone will be more comfortable if you relax.

Don't assume that "disabilities" are all the person can talk about or are interested in. Find a topic of small talk the way you would with anyone. Don't be embarrassed if you happen to use accepted expressions that seem to relate to the person's disability such as "See you later", "See what I mean?", "Let's go for a walk", or "Got to run along".

Helping

First ask if the person wants help. If your offer of assistance is accepted, listen for or ask for instructions. Follow the person's cues, and ask for clarification if needed. Don't be offended if someone refuses your offer of assistance. It is his or her choice to be as independent as possible.

Communication

People are considered to have communication disabilities when their ability to receive, send, or process information is reduced.

For communication to be successful, it sometimes takes repeated attempts at listening or speaking. Let the person know your communication with him or her is worthwhile to you. If you don't understand someone, ask the person to repeat. If the person doesn't understand you when you speak, try again. It is important to make eye contact. Talk directly to the person, not to an aide, interpreter, or companion.

When appropriate, offer to make public information available in alternative formats such as Braille, audio tape, or large print. Consult with your supervisor or the law library regarding the availability of these resources.

Environments

Be sensitive to your surroundings. A noisy environment, a dark environment, or many people talking at the same time may make it difficult for people with vision, speech, hearing, or some other hidden disabilities to fully participate in a conversation. Ensure clear paths of travel for those who are blind or who use wheelchairs or other mobility aids. Be aware that a person with chemical sensitivity may have a reaction to smoke, perfume, or other toxins in the environment.

Socializing

Do not leave persons with disabilities out of a conversation or activity because you feel uncomfortable or fear that they will feel uncomfortable. Include them as you would anyone else. Let it be their decision whether or not to participate.

Touching

It is appropriate to gently touch people with disabilities to get their attention, when shaking hands in greeting, or if assistance is requested. Shake the hand of someone with AIDS as you would anyone else's. You can't get AIDS by touching.

Be sensible about this touching. Remember "gentle" is the key word. Some people with disabilities depend upon their arms for balance. Grabbing could knock them off-balance.

Do not touch someone's cane, wheelchair, or other assistive device. It is part of that person's personal space. If you are interested in a demonstration of someone's electronic aid, ask the person. Do not try to use such equipment unless you are invited to do so. Guide dogs and other service animals are working animals. Do not pet or touch them without specific permission.

ETIQUETTE

Accessibility

Know where accessible restrooms, drinking fountains, and telephones are located. If such facilities are not available, be ready to offer alternatives, such as the private or employee restroom, a glass of water, or your desk phone.

Shaking Hands

When introduced to a person with a disability, it is appropriate to offer to shake hands. When you meet someone, extend your hand to shake if that is what you normally do. A person who cannot shake your hand will let you know, but he or she will appreciate being treated in a normal way.

- Shaking hands with the left hand is acceptable.
- For those who cannot shake hands, touch the person on the arm or shoulder to welcome and acknowledge their presence.

Respect Adults

Treat adults in a manner befitting adults.

- Call a person by his or her first name only when extending that familiarity to all others present.
- Never patronize people using wheelchairs by patting them on the head or shoulder.
- If a person has a disability that affects his or her appearance (such as a cleft-palate or cranio-facial disfigurement), act naturally and maintain eye contact as you would with anyone else. Looking away only stigmatizes him or her and leads to a negative interaction.

Communication

It is important to maintain eye contact. Talk directly to the person – not to an aide, interpreter, or companion.

Helping

Offer assistance in a dignified manner with sensitivity and respect. Be prepared to have the offer declined. Do not proceed to assist if your offer is declined. If the offer is accepted, listen to and accept instructions.

- Allow a person with a visual impairment to take your arm (at or about the elbow). This will enable you to guide rather than propel or lead the person.
- Offer to hold or carry packages in a welcoming manner. Example: *May I help you with your packages?*
- When offering to hand a coat or umbrella, do not offer to hand a cane or crutches unless the individual requests otherwise.
- Respond graciously to requests. When a person makes a request, that means he or she is comfortable enough to ask for what they need. If they get a positive response, your interaction will go that much better.
- When all is said and done, do not make any assumptions. Do not make any decisions for them. The person with the disability is the best judge of what he or she needs.

PERSONS WITH SPECIFIC DISABILITIES

Persons with Mobility Disabilities

A person in a wheelchair is a “wheelchair user” or “uses a wheelchair.” People who use wheelchairs may have a variety of different disabilities.

Never touch or lean on a person’s wheelchair, as it is that person’s personal space. Push a person in a wheelchair only when asked. Enable people who use crutches, canes, walkers, or wheelchairs to keep their mobility aids within reach, unless requested otherwise. Be aware of what is and is not accessible to people who use mobility aids.

To facilitate conversation when speaking with someone in a wheelchair, use a chair to place yourself at the person’s eye level.

Sit or kneel to make eye contact. Another strategy is to step back to make eye contact. Stepping back keeps the other person from having to strain his or her neck to look up.

If a counter is too high for a person in a wheelchair to see over, step around it to provide services. Also make available a clipboard if writing and/or paper-work is required.

Protocols concerning persons in wheelchairs can also apply to people who are short of stature (generally 4 feet 10 inches).

Persons with Speech Disabilities

Address persons with speech disabilities as you would any other person in the same situation. Listen attentively, patiently, and carefully when conversing with a person who has a speech impairment. Keep your manner encouraging rather than correcting. Exercise patience rather than attempting to speak for a person with speech difficulty. Don't complete sentences for a person with a speech disability unless he or she specifically asks for help.

Never pretend to understand if you are having difficulty doing so. Repeat what you do understand, or incorporate the person's statements into each subsequent question. When necessary, ask short questions that require short answers or a nod or shake of the head in response. If needed, ask the person to repeat themselves or say something in a different way. Don't let able-bodied people interrupt a person with a speech disability just because they talk louder. Go to a quiet room if necessary.

If a person with a speech disability is using a voicer, speak to and keep eye contact with the person, not the voicer. If he or she uses an amplifier or another device, don't touch it, as that is part of his or her personal space.

Deaf and Hard of Hearing

If you need to attract the attention of a person who is deaf or hard of hearing, touch him lightly on the shoulder or arm.

When talking to people who are deaf or hard of hearing, talk directly to them, not to the interpreter. Face them so they can see your lips. Show consideration by placing yourself facing the light source and keeping your hands, cigarettes, and food away from your mouth when speaking. Slow your rate of speech, speak your words clearly, and increase your volume, if requested. If possible, move the conversation to a quieter place.

Do not shout at a hearing impaired person. Shouting distorts sounds accepted through hearing aids and inhibits lip reading. To facilitate conversation, be prepared to offer a visual cue to a hearing impaired person, especially when more than one person is speaking.

Not all people who are deaf or hard of hearing can read lips. For those people, other forms of communication may be necessary. Some people who are deaf or hard of hearing may offer to write messages back and forth. For some, American Sign Language (ASL) is their first language, and they may require

a sign language interpreter to understand proceedings or participate in a conversation.

Persons With Visual Disabilities

If you are meeting a blind person, identify yourself and others who may be with you. If you have met before, remind the person of the context, as he or she won't have visual clues to jog the memory.

To facilitate conversation, be prepared to offer an audible cue to a visionally impaired person, especially when more than one person is speaking. When conversing in a group, give a vocal cue by announcing the name of the person to whom you are speaking. Speak in a normal tone of voice, indicate in advance when you will be moving from one place to another, and let it be known when the conversation is at an end.

If you are asked for assistance in orienting a person with visual disabilities, let the person hold your arm as a guide. If walking, tell him or her to step up or step down; let him or her know the location of doors and other obstacles; and warn him or her of possible hazards. Offer to read written information for a person with a visual disability when appropriate.

Be proactive and keep the area clear of hazards. Do not leave filing cabinets, cupboards, or other doors half open. If warning a person of a hazard such as a hanging plant or lamp, be specific as to the location. Just shouting "watch out" does not tell the person where the hazard is.

Persons with Learning Disabilities

Don't assume you have to explain everything to a person with a learning disability. He or she does not necessarily have a problem with general comprehension. Don't assume the person is not listening just because you are not getting any verbal or visual feedback. Ask them whether they understand or agree. Offer to read written materials aloud when necessary.

Persons with Hidden Disabilities

Not all disabilities are apparent. A person may have trouble following a conversation, may not respond when you call or wave, or may say or do something that seems inappropriate. The person may have one of many hidden disabilities such as poor vision, seizure disorder, hearing loss, learning disability, brain injury, mental disability, or a health condition. Don't make assumptions about the person or the disability. Be open-minded.

Do and Don'ts

- Do** learn how to communicate with people who have disabilities.
- Do** ensure that your forms do not ask disability-related questions and that they are in formats that are accessible to all persons with disabilities.
- Do** treat an individual with a disability with the same dignity and respect you treat anyone.
- Do** know where accessible restrooms, drinking fountains and telephones are located.
- Do** use a normal tone of voice when extending a verbal welcome.
- Do** avoid asking personal questions about someone's disability.
- Do** be considerate of the extra time it might take for a person with a disability to do or say something.
- Do** be polite and patient when offering assistance, and wait until your offer is accepted.
- Do** keep your communication simple.
- Do** understand that access includes not only environmental access but also making forms accessible to people with visual or cognitive disabilities and making alarms and signals accessible to people with hearing disabilities.
- Don't** assume the person is disabled or has a disability.
- Don't** mention the person's disability, unless he or she talks about it or it is relevant to the conversation.
- Don't** avoid eye contact.
- Don't** pretend to understand conversation. Politely ask the person to repeat.
- Don't** be patronizing when dealing with a person with a disability.
- Don't** proceed to assist if your offer is declined.
- Don't** push, lean on, or hold onto a person's wheelchair unless the person asks you to.
- Don't** touch a service animal, or the person the animal assists, without permission.
- Don't** exclude persons with disabilities from participating in any group — because you think it may be too difficult for them to participate.