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The ADA as amended by the ADAAA 42 U.S.C. 12101 et. seq. Findings and purposes: *Congress intended that the original Act [ADA] provide a clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities and provide broad coverage.* 42 U.S.C 12201(d), continues with the following statement assuring that litigants with a disabilities have individual choice in managing accommodations that best offset their disabilities. *Nothing in this Act shall be construed to require an individual with a disability to accept an accommodation, aid, service, opportunity, or benefit which such individual chooses not to accept that violates this protective provision.* In other words, a person must not be forced to accept restrictive accommodations such as residential care rather than accommodations or removal of custody of children from a mother suffering from cancer versus accommodations allowing the person with disabilities the greatest degree of dignity and independence.

Therefore, there is a firm foundation for the Certified Americans with Disabilities Act Advocate(s) (CADAA) to ensure that those with limited language proficiency (LLPs) are accurately heard during legal proceedings. Unless the person with disabilities is able to effectively express themselves, they are apt to be over restricted on the one hand or fall through the cracks of justice on the other. The Federal Rules of Civil Procedures (FRCP) also provides support for this argument; Rule 17, "Next Friend" - A next friend is a person who represents *someone who is unable to tend to his or her own interest* - precisely as a CADAA does.

At issue is whether or not a litigant with a disability has the right under law to have a CADAA speak on their behalf, in their place, or for them in court when they are symptomatic, unable to respond, articulate grievances, or defend themselves. Prior to the ADAAA, John W. Parry, J.D. and forensic psychologist, & Eric Drogin, J.D, PhD, ABPP (Forensic), in 2007, illustrates the limitations of ADA prior to the Amendments Act of 2008 when they wrote on what constituted a person's ability to communicate in court in *Mental Disability Law, Evidence and Testimony: A Comprehensive Reference Manual for Lawyers, Judges and Mental Disability*, still available. Their point of view, at that time, reflects a lack of concern for equal access to a fair hearing and ignorance of the various characteristics related to the specific invisible disabilities. "There are no specific tools to measure communication abilities in the context of testimonial capacity per se (Parry, 2010)." They go on to say that such abilities are measured by the witnesses, judge, and jury with little need for expert testimony (197).

So where does that leave the question of the law regarding a CADAA speaking on behalf of a disabled person in court? Today, litigants with diagnosed PTSD are protected under the law, but routinely face the harsh reality that "the law often insists on definitive black and white standards, levels of certainty, and the thresholds (Parry, 2008)." It is a slippery slope from this black and white version to the interpreting of the deliberately vague ADAAA. In Parry's 2008 opinion, "The ADA Amendments Act of 2008: Analysis and Commentary," authors John W. Parry and Amy L. Allbright write, "The amendments strongly encourage the regulatory agencies and the courts to interpret the disability definition in a manner that will benefit as many people with disabilities as possible. For these accomplishments, Congress should be applauded (Parry, 2008)." As an advocate and forensic specialist, the court, the ADA Coordinator, lawyers, the judges, and the litigant with a disability jockey to read into this act what suits their interests. It is a tour de force as whatever happens - is allowed in court - sets precedent for the litigants with a disabilities of the future. Ideally, attorneys and judges will see that unnecessary hardships can be eliminated through small non-threatening accommodations. CADAA's, without a license to practice law, intend only to help litigants with a disabilities suffering from limited language proficiency due to brain reaction to their trauma or disability.

An ADA advocate is someone who will serve the litigant in the worst of times and take time to know the litigant in the context of the ADA protections available. The advocate chosen can be a trusted friend, a family member or a professionally trained and certified advocate who can ensure that the litigant with a disability has access to needed accommodations. A good reason to select a certified advocate rests in the fact that the litigant with a disability must be confident that the advocate is a specialist in their position and they are willing to protect the litigant against intimidation and denial of the litigant's right to due process of law. This effort can be a daunting challenge demanding the education of many clerks, lawyers, and judges to arrange requested accommodations.

Passed in 1990, the ADA is a relatively new law. Therefore, it is mostly an unfunded mandate. Training has been spotty at best among judicial personnel. Thus, implementation has been slow. No one can depend on a particular court to be prepared to properly accommodate a litigant with a disability. Often the court personnel must be informed of ADAAA requirements, rules, policies, and procedures as a matter of course. If the advocate is not educated as to the law and sure of him or herself while staying firm with the court, the advocate or the litigant can be bluffed or misdirected and lose access to the court. Trained advocates may be hired on an as-needed basis or retained for a long-term relationship.