

Ask for a disability accommodation: The basics

Author

Northwest Justice Project

Last Review Date

December 10, 2024

If you have a disability, you can ask for rules and practices to be changed so that you have an equal opportunity to use and enjoy a public service, process, or place. This is called an accommodation of your disability.

How do I know if I have a disability?

Under federal or state civil rights laws, you have a disability if one of these is true:

- You have an impairment that greatly limits at least one major life activity.
- You have a record of having such an impairment.
- Other people believe you have such an impairment, even if you don't.

This physical or mental impairment can be temporary. It doesn't need to be permanent for the laws to apply to you.

The definition of disability here is different from Social Security's definition. Your impairment doesn't have to keep you from working. You can have a disability that requires accommodation even if it doesn't qualify you to get SSI or SSDI.

What is a reasonable accommodation?

It's a change or exception to a rule, policy, practice, or service that may be needed so a person with a disability has the equal opportunity to use and enjoy a public service, process, or place.

Many accommodation requests are reasonable in part because they're no- or low-cost. An **un**reasonable accommodation would be too expensive, would take too

much time or effort, or would really change how the business, agency, place, or organization does things.

How can I get a reasonable accommodation of my disability?

Court hearing or trial: As soon as you find out about a court date you can use the state's Request for Accommodation form (<https://www.courts.wa.gov/forms/?fa=forms.contribute&formID=71>) to ask for an accommodation for a disability that limits your ability to take part in the trial. The court will file at least your medical records under seal so that only the judge and court staff can access it. Or if it's easier, you can contact the court by phone or email to make your request. Each court should have a contact person for accommodation requests.

You can get some of your requests immediately. Here are some examples (this isn't a complete list):

- Use the court's assistive listening system
- Ask all speakers to face you when speaking, to speak more slowly, or to simplify verbal directions
- Adjust lighting
- Allow food and drink
- Allow frequent breaks

For others, the court will need advance notice. Here are some examples (not a complete list):

- Large print material
- A qualified reader
- A note taker
- Open and closed captioning
- An ASL interpreter

Administrative hearing: The Office of Administrative Hearings (OAH) (<https://oah.wa.gov/>) may need to change the way it handles the hearing or contacts you to make sure you have the same chance to take part in your hearing as someone without disabilities. You can ask OAH for an accommodation (<https://Ask OAH for a reasonable accommodation of your disability>) by going online (<https://oah.wa.gov/resources/forms/accommodation-request>) or by calling (360) 407-2700 or (800) 583-8271. TTY (hearing impaired) users dial 7-1-1 or 1-800-833-6388 for the Washington relay operator.

Housing: If you need an accommodation for the application process, or **you need an accommodation from your current housing provider**, you must put your accommodation request in writing. You can use our sample letter or write your own letter. Make sure you explain in your written request why your request is needed and how it's directly related to your accommodation. You should also give a full description of the accommodation you need.

DSHS benefits: If you have disabilities that make it hard for you to ask for or manage benefits you get from DSHS, such as food stamps or TANF, DSHS must find ways to accommodate you. Ask your DSHS worker to give you an accommodation plan. Tell the worker what accommodations you need. Ask for a copy of your accommodation plan. If you need accommodations but DSHS says they can't give them to you, you can appeal their refusal to accommodate you.

If you have a dog or miniature horse who meets the definition of a service animal, normally as an accommodation the service animal must be permitted to accompany you into a place. There are some exceptions to this, including for a service animal in training who isn't under your control, or for certain places run by a church or as a private club.

WashingtonLawHelp.org gives general information. It is not legal advice. Find organizations that provide free legal help on our Get legal help page.