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Comments of J. Kay Felt on the Report of the Task Force on the Role of the State Bar of Michigan

I have already joined in the comments of Members of the Michigan Judicial Selection Task Force.

In addition, I wish to comment on the Recommendations that appear on pages 13 and 14 of the Report of the Task Force on the Role of the State Bar of Michigan. This issue is covered under Item 2 on recommendations relating to state bar sections.

My perspective comes from over ten years of service as the informal chair of the Equal Access Initiative Steering Group on Access to the Legal System for Persons with Disabilities, Over

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in a group of a wide range of members who either have disabilities or represent persons who do. Most of our findings (based on significant research) are directed to the courts, but occasionally we communicate with the Department of Education and with legislators and members of the legislature that fund the courts.

Education Department: We work extensively on issues relating to persons with cognitive disabilities and mental health issues. Our efforts are designed to keep these young people out of the judicial system; as the Southern Poverty Law Center notes: if they ever get into the judicial system, their more competent peers will encourage them to engage in unlawful conduct. They often get into the judicial system as educators interpret some of their actions as threatening. Usually, they are simply attempting to galvanize their thoughts in order to make an appropriate response. Our efforts have been to insure that there are appropriate educational programs for education on these issues. In fact, together with the Education Department, we have been quite successful.

Legislature: We often discover issues in the courts that are counter-productive for people with disabilities. The courts have to work within the funding provided by the legislature. The Frank Murphy Hall of Justice has several examples of such issues that would require state funding to correct. They include: 1) a very steep ramp into and out of the building; motorized wheelchairs often cannot

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often cannot climb this ramp, and the users have crashed on the way down because it is so steep; this is very dangerous as the ramp runs straight into Grand Avenue, a highly busy street. 2) The courtrooms do not accommodate people in wheelchairs as the gates into the well are too narrow; the witness box and the jury boxes are inaccessible; 3) other disabled people often cannot easily access the jury boxes as they require the use of steps up to the highest level and down; if no one is in the seats the individual can hold onto the empty seats, but if a prospective juror on the forward is excused, it requires very fixed and very accommodating other prospective jurors to assist the individual who must hold onto those other people; 4) there are insufficient seats in the hallways for prospective jurors who often are required to wait an hour or more to be called; eventually, they hang over railings, lean on walls and even sit on the floor. Again, we have been successful at least in bringing these issues to the attention of legislative funders.

To require that these efforts be conducted through a separate group not affiliated with the State Bar would be counter-productive and time-consuming. All our group's efforts are coordinated by our State Bar liaison with the general counsel and other appropriate arms of the State Bar. We do not do anything without supervision. In fact, the wide-ranging nature of our group

provides a first-level of oversight.

I am frankly horrified by and disappointed in this recommendation. I do not see how our Work Group could continue effectively to do its work. I believe our work is already Keller permissible and that it would be unnecessary and counterproductive to follow this recommendation.

Thank you for the opportunity to comment,

J. Kay Felt