Technology Barriers Outline

Obviously we are interested in Maryland statistics but if the numbers don't exist for Maryland try to expand out and find similarly situated states or national statistics. The breakdown should include race, gender, age, income, and location.

- Internet Access
    - Is there a heat map of internet speeds in Maryland?- https://geodata.md.gov/BroadbandMap/
        - Going through the data on this heat map it does
    - https://rural.maryland.gov/wp-content/uploads/sites/4/2019/01/2018_MSAR11544_Task-Force-for-Rural-Internet-Broadband-Wireless-and-Cellular-Service-Report-1.pdf - "According to the Congressional Research Service, over 324,000 rural Maryland residents lack access to high-speed internet"
- What is the lowest internet speed deemed necessary for successful video conferences?Queen Anne's County (Based on above listed heat map): Avg Download by County:5,429 Kbps Avg Upload by County:1,227 KbpsTotal Tests by County:205
- Depending on the type of video conferencing required: the average upload speed in Queen Anne's County may not be enough to allow for anything more complicated than 1 on 1 calling.
- Similar issues in Somerset: County: Somerset Avg Download by County:4,635 KbpsAvg Upload by County:1,274 KbpsTotal Tests by County:179
- Also: St. Mary's Avg Download by County:6,416 KbpsAvg Upload by County:943 KbpsTotal Tests by County:772
    - What percentage of people have only their phones data plan?
    - Is there a list of wifi hotspots? What are the barriers to accessing these hotspots?
- Technology
    - What percentage of the population have a smartphone good enough to video conference and interact with ODR platforms?
        - Demographic breakdown.
    - Has someone done a tech competency survey to see if the people who have technology sufficient enough to interact cannot do so because of a lack of tech competency.
    - Computer/Scanners/Printers
        - What areas of law require ink signatures that would need to be printed and scanned in order to effectively work with your attorney?
        - How many people own all the technology needed to print and scan a document.
- Perception of Justice
    - Do people prefer remote or other non in person court hearings?
    - Does it change their perception of fairness?

Disability Access-

1) TTY and ASL access. Normally ASL interpreters have to be Court certified and sworn in. If a party uses a TTY line to call into the hearing; how does the Court intend on addressing the fact the interpreter may not have been sworn into court before?
2) Will a TTY Line be provided to parties?
3) Screen Reader access and readability in non-MDEC jurisdictions
4) Ensuring court notices include contact information for the court's ADA coordinators/instructions on how to request an accommodation.
5) How will evidence be provided to the court/parties prior to trial? How will accommodations to the hard of hearing/ vision impaired be accommodated in regards to evidence submitted?

Disability Access:

By being a state entity the Court is required to provide reasonable accommodations in order to ensure that a person with disabilities is not discriminated against, and has equal access to the Courts. This is mandatory under Title II of the Americans with Disabilities Act and is an obligation of the Court.

The reasonable accommodation standard requires that the Court system be flexible when considering how to allow a person with disabilities to access and participate in their court proceeding. This is not a "one size fits all" fix. Below we are suggesting the following standards, but do not want the court to be inflexible in providing other accommodations as they arise.

Standards

Tech Standards for Vision Impaired Screen Reader Access:
https://www.w3.org/WAI/standards-guidelines/wcag/new-in-21/ ( Specifically level AA). This standard helps determine if a particular piece of software is accessible to a person with vision impairment. It is important to note that this is for screen reader access and not all participants will have access to a screen reader. It may be necessary for the Court to read out documents or be flexible in how an individual wishes to have documents provided to them.

Tech Standards for Hearing Impaired Access:
Ensuring TTY and ASL access-
https://www.nad.org/resources/technology/telephone-and-relay-services/tty-and-tty-relay-services/

Outside of TTY relay, the Court should be prepared to allow video relay. Many persons with hearing impairment rely on video relays on their smartphones. The Court should allow this person to call in while the court is on speaker phone. There may be issues with ensuring that an interpreter can be sworn in. ASL interpreters should be provided by the Court when requested, however, if a remote hearing is taking place a video relay service may be the only option for an

individual. If that is the case, it may be necessary to be flexible on whether the individual providing the interpretation is certified by the Court.

If the Court hearing is not remote, but an individual faces serious medical consequences if exposed to COVID should be able to speak with the clerk of court to make alternative arrangements in order to access the hearing.