

**State Bar of Arizona Committee on Persons With Disabilities  
Accessibility Committee Site Visit  
Tonto Apache Tribal Court  
Tonto Apache Reservation #30  
Payson, Arizona**

**SURVEY BACKGROUND**

**Facility:** Tonto Apache Tribal Court, Tonto Apache Reservation #30, Payson, Arizona, 85541

**Date:** April 26, 2004

**Team:** Emily Johnston (Board of Governors, State Bar of Arizona) (team leader); Jim Reed (Jaburg & Wilk PA); and Carrie Sherman (State Bar of Arizona).

**Court Personnel:** James Katches, Probation Officer. Also present: Ivan Smith, Vice Chairman, Tribal Council, Tonto Apache Tribe.



## **Overview**

This facility is a relatively new (August 2002) tribal courthouse that is basic yet effectively accessible. The tribal court services 130 tribal members. The disease and disability awareness of the tribal courthouse was reflected in the assistance for persons suffering from diabetes. The team did not observe any significant access-related issues for disabled persons. Court administrators and personnel are aware of issues pertaining to access for disabled persons. The team met Ivan Smith, Vice Chairman of the Tribal Council and the general contractor for the courthouse facility, who had mobility impairments and used a cane extensively. Specific observations follow.

## **Parking**

Parking is not extensive but is sufficient, located outside the front of the building. Sufficient handicapped parking spaces exist, and are clearly marked and are ADA-compliant, including car-side set aside spaces for wheelchair exit and entry. The parking lot has no incline or step/level obstructions requiring cut curbs on the path to the main entrance.

## **Entrance**

The entryway had an automatic double door entrance, with prominent signage and an easily operated push button. As with the entry, there was no problem with the exit, using a crash bar to push it open.



## Security

As with other small courthouses in rural communities, there were no security personnel stationed inside the Tonto Tribal Court. The tribe's law enforcement offices, however, were located in another building in close proximity to the courthouse and an officer just happened to be in the courthouse when the team was taking its tour.

Administrative staff (and tribal police officers) are instructed to assist members of the public, including persons with disabilities, during any evacuations.

## Restrooms

The hallway restrooms for the public were clearly marked as accessible, with Braille signs. The doors had easy to use latch handles. The first restroom visited had a sanitary hospital trash can, with a foot pedal. It is an effective trash can for preventing the spread of germs, but could be hard for someone with mobility impairment to operate. However, given the high incidence of diabetes within the tribe, and a diabetes case worker office in the courthouse, the possibility that courthouse patrons might dispose of insulin injection syringes and needles in the bathroom trash can likely necessitate the covered cans.



The restroom sink in the first restroom also would be very challenging for anyone using a wheelchair, since the well underneath the sink was closed off by a wooden cabinet area. The faucet had a lift lever on its top, with the soap dispenser placed directly over the sink on the mirror. The survey generally recommends placement of the soap dispenser to the side, to permit easier access, but still over the sink, to prevent soap on the floor. The toilet area had appropriate grab bars, but may have presented an entrance too narrow for a wheelchair to pull directly up to the toilet for close-proximity transfer. In the men's room, the urinal was sufficiently low to permit use by someone in a wheelchair, which is very positive, but the aisle leading up to the urinal, formed by the side of the stall and the wall, was fairly narrow. The restroom represented

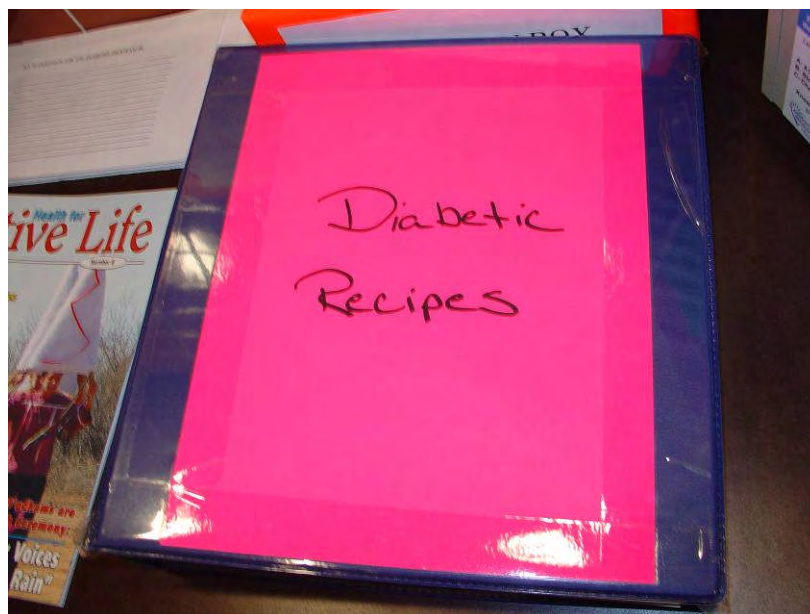
a good effort at a retrofit for accessibility, but presented confining and somewhat challenging use limitations.

The second restroom visited had a low height urinal for a person using a wheelchair, which was also very accessible in the area surrounding the urinal. The stall was fully equipped with grab bars and had sufficient room for a wheelchair transfer immediately next to the toilet. The second restroom also had a sanitary, foot pedal-operated, covered trash can. The sink had the same wood coverings of the pipes, and the placement of the soap dispenser was over the sink on the mirror, making reaching it difficult. The room had a personal effects counter, presenting a more sanitary option for personal items such as medicines and injectables, and even food packages, that persons with diabetes would benefit from.



## Pamphlet and Informational Services

There is an extensive variety of pamphlets displayed in racks which describe social and disability services within the tribal facility for its members as well as for the greater community. The informational display was prominent and extremely helpful.



## **Hallways and Lobbies**

All hallways were sufficiently wide. The carpeting throughout posed a slight challenge to persons using wheelchairs and walkers, but was very safe for persons using crutches or canes. Throughout the survey in Arizona, teams continued to look for the ideal solution to supporting the needs of users of wheelchairs and walkers to have the smoothest surface possible, and persons using canes and crutches to have a slightly rough surface for sufficient traction. A good compromise seems to be rough tile floors.

The hallway had a fully accessible water fountain with an easy to use, front-push button.



## **Council/Public Meeting Room**

The team visited the room where the Tribal Council meets and which is also used for other tribal functions. It was accessible and possessed sufficiently wide passage and turn areas. The entry doors were accessible, with latch handles, and appear normally open. Refreshments are often served during meetings and events and the food service counters were low and accessible permitting a wheelchair to be wheeled up close to the appliances. An emergency first aid kit was prominently placed on the wall in the cafeteria.



### **Elevators**

The public elevator shaft had sufficient room in the elevators for entry and mobility. The buttons were placed at appropriate heights.

### **Law Library**

No information available.

### **Courtroom**

There is only one courtroom in the courthouse building.

The courtroom had an entrance from the main courthouse that was a double door, latch handle entrance, and also had another double door, crash bar entrance from the outside of the building. A final entrance was to the judge's left, and opened through a single door with crash bar, to the exterior of the building. The wood floor was both easily used by wheelchairs, and also safe for persons using canes or crutches. The entryway from the gallery to the well of the courtroom had no gate, which made it convenient for persons with disabilities. The gallery had removable chairs, with sufficient room for several wheelchairs. Counsel tables were at wheelchair height and could be used by a wheelchair user.

The witness stand was elevated by one step, as was the jury box. A removable ramp could solve the access issue for either one.



The courtroom had a water fountain at wheelchair height, with an easy-to-use, front push button.

### **Juror Facilities**

The jury deliberation room and client conference room was usable for a person using a wheelchair, but largely only in the area immediately near the door. The deliberation room was within steps from the jury box.

### **Judge's Chambers**

The judge's chambers had state of the art electronic devices and presented generally convenient access for someone with a wheelchair for legal argument or other appearances in chambers.

### **Signage**

All public signs in the building that the team observed were imprinted with Braille code.

## General Observations

Court facility staff might benefit from portable ramps for the witness stand and jury box.

## CONCLUSION

The Tonto Apache Tribal Courthouse represents a generally accessible building for a community with comparatively high incidence of disease, leading to disability. Personnel responsible for administering the facility seemed appreciative of the needs of the disabled. Slight modifications to the courtroom in the form of ramps would significantly add to existing accommodations.

