

BAR FOUNDATION GRANTEE PROTECTS RIGHTS OF HEARING-IMPAIRED

CONCORD, NH – New Hampshire Legal Assistance (NHLA), a nonprofit organization that provides legal assistance to seniors and low-income residents, recently donated 20 “Pocketalkers” to the Probate Court purchased with a grant from the State Office of Long Term Care Ombudsman (OLTCO). The Pocketalkers are battery-operated amplifiers (the size of a small Walkman) equipped with earphones that increase the volume of those speaking and reduce background noise. This donation was made out of concern that individuals with hearing loss are at greater risk of losing their legal rights through their inability to hear and, therefore, respond appropriately to family members, health care providers, legal counsel, and judges. Attorneys with NHLA’s Senior Citizen Law Project program note that the rights of individuals can be seriously impacted by challenges to their competency when caregivers or family members misinterpret inability to hear as a person’s inability to act or speak on his or her own behalf. “Creating awareness of this situation and providing assistance to hearing impaired individuals so they may participate fully in the legal process is essential for fair outcomes,” says Judith Jones, directing attorney of the Senior Citizen Law Project.

Administrative Judge of NH Probate Courts, John R. Maher, is pleased that this issue has been brought to the attention of the courts. Probate Court has jurisdiction over a variety of cases including trusts, wills and estates, guardianship of incapacitated persons, partition of property, involuntary admissions, and other matters affecting personal rights. Judge Maher says, “Every Probate Court will have a Pocketalker and I encourage every judge to be cognizant of and make inquiry, especially in guardianship cases, about the possible hearing impairment of the ward.” In addition, the Judge will make it pro forma policy at all court proceedings to inquire if

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everyone can hear. If someone cannot, adjustments will be made or Pocketalkers used to address the problem.

“As a hearing impaired person and a judicial branch employee, I was thrilled to be able to utilize the use of a Pocketalker. I had an opportunity to use it at a recent court seminar and found that it was comfortable to wear and I was able to understand people when they spoke no matter where they sat in the room,” affirms Patty Cole, executive secretary to the administrative judge of Probate Court.

The New Hampshire Bar Foundation provided more than \$1 million in grant funds this year to support New Hampshire Legal Assistance in their efforts to serve New Hampshire’s most vulnerable citizens.

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