

Geography as Legal Destiny: The West Coast's Rural Access to Justice Crisis

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ABSTRACT

Geography as Legal Destiny: The West Coast's Rural Access to Justice Crisis examines the steep barriers to legal resources experienced by rural communities on the West Coast of the United States, focusing particularly on the challenges imposed by geographic isolation. The analysis begins by documenting the long distances rural residents must travel to reach their nearest courthouse, highlighting the constitutional implications of such challenges on due process rights. Drawing on empirical data and case studies from California, Washington, and Oregon, the article underscores the effects of geographic isolation on low-income rural residents, including increased debt, entanglement with the criminal legal system, and incarceration for minor infractions. The article explores the inadequacies of current legal infrastructure and proposes innovative solutions such as the establishment of town legal centers within existing community hubs, thereby leveraging the strengths and resources of rural communities. Furthermore, it advocates for the use of Americans with Disabilities Act (ADA) litigation as a strategic tool to compel reforms that ensure equitable access to justice. The Article concludes that addressing the rural access to justice crisis is not only a legal and constitutional imperative but is also crucial for mitigating rural poverty and marginalization. This scholarship provides a potential roadmap for strategies to bridge the justice gap in rural areas, emphasizing that geographic location should not predetermine one's access to legal recourse.

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I. INTRODUCTION

Treacherous mountain passes, extreme weather, and even dangerous wildlife encounters: these are some of the realities that rural Americans must contend with when making a routine trip to their nearest courthouse.¹ For many reasons, rural residents face unique challenges in terms of accessing judicial resources. Chief among them is geographic isolation from courts. This is certainly true on the West Coast, a region characterized by a wide array of both massive urban centers and isolated rural communities. Although the region is home to several of the largest cities in the United States, it also contains some of the nation’s most productive agricultural areas.² From a geographical perspective, all three West Coast states are, like many states, predominantly rural in terms of sheer land mass.³ On the other hand, over half of the people living Washington, Oregon, and California are non-rural.⁴ Even some of the West Coast’s most populous urban counties embody the region’s ingrained urban rural dualism: Both Los Angeles County

1. Jack Karp, *A Mountain to Climb: The Inaccessibility of Rural Courts*, LAW 360, (Dec. 1, 2023).

2. Doug Carlin, *All 50 US States Ranked by Agricultural Production*, USA BY NUMBERS (Jan. 6, 2023), <https://usabynumbers.com/states-ranked-by-agricultural-production/>.

3. THE CALIFORNIA COMM’N ON ACCESS TO JUST., IMPROVING CIV. JUST. IN RURAL CAL. 6 (The Honorable Ronald Robie et al., 2010) [hereinafter “THE COMMISSION”]; WASH. STATE DEP’T OF HEALTH, *Rural and Urban Counties* (2021); Carly Johnson, *Defining Rural Oregon: An Exploration*, OR. STATE UNIV. RURAL STUDIES ISSUE BRIEF 2 (2007).

4. IOWA STATE UNIV. CMTY. INDICATORS PROGRAM, *Urban Percentage of the Population for States, Historical*, <https://www.icip.iastate.edu/tables/population/urban-pct-states> (last visited Oct. 26, 2023).

and Seattle's King County contain sizable rural populations.⁵ All told, the West Coast has a large and diverse rural population of over seven million people.⁶ Unlike the urban and suburban population, which is more densely located in or near cities, those seven million rural residents are spread out over vast distances and disparate geographies. Geographic isolation poses unique and serious challenges for rural residents, especially in terms of their ability to access justice.

A growing body of scholarship has arisen around rural access to justice, with a primary focus on the dearth of lawyers in rural areas.⁷ This focus is warranted given the magnitude of the shortage. In Washington, several rural counties have only a handful of active, licensed attorneys.⁸ Ferry and Garfield Counties have only four attorneys each according to the state bar.⁹ Pend Oreille County has five total attorneys serving a population of 13,886 people, indicating a ratio of 1:2,777.¹⁰ In California, the ratio of resident to attorney in rural areas is 1:626, as opposed to 1:175 in urban centers.¹¹ The greatest discrepancy is in Kings County, located in a rural region of the state's Central Valley, with a ratio of 1:1,364.¹² Meanwhile, in Oregon, the state bar reports that "large swaths of [the state] show residents unable to find any private legal counsel at all," and that "[f]or the first time recently, [the state bar's] Lawyer Referral Service has almost no lawyers available for eviction defense" in rural areas like coastal Coos County.¹³ The rural lawyer shortage is a serious crisis warranting the robust response it has received in scholarship, but it is also only one component of the overall access to justice crisis on the rural West Coast.

5. Lisa R. Pruitt & Rebecca H. Williams, *Improving Access to Justice in the Rural Reaches of Southern California*, LOS ANGELES LAWYER MAGAZINE, 26, 30 (March 2018); KING COUNTY.GOV, *Rural Unincorporated King County*, https://kingcounty.gov/App_Media/exec/strategy/documents/AGR/09AGR/Unincorporated/Rural_profile08.pdf.

6. THE COMMISSION, *supra* note 3, at 7; Rural Health Info. Hub, *Washington*, RURAL HEALTH INFO. HUB (last visited Feb. 2, 2025), <https://www.ruralhealthinfo.org/states/washington>; *About Rural and Frontier Data*, OR. OFF. OF RURAL HEALTH (last visited Feb. 2, 2025), [https://www.ohsu.edu/oregon-office-of-rural-health/about-rural-and-frontier-data#:~:text=Using%202023%20Claritas%20data%2C%2033,\(2%2C793%2C066\)%20in%20urban%20areas](https://www.ohsu.edu/oregon-office-of-rural-health/about-rural-and-frontier-data#:~:text=Using%202023%20Claritas%20data%2C%2033,(2%2C793%2C066)%20in%20urban%20areas).

7. See, e.g., Lisa R. Pruitt et al., *Justice in the Hinterlands: Arkansas As A Case Study of the Rural Lawyer Shortage and Evidence-Based Solutions to Alleviate It*, 37 U. ARK. LITTLE ROCK L. REV. 573, 593 (2015); Courtney D. Sommer, *Rural Access to Justice Through Mentoring*, COLORADO LAWYER. 14 (2021); *Montana Program Chosen Among Best in Us*, 82 MONT. LAW. 12 (2021); Pruitt & Williams, *supra* note 5, at 26; Robin Runge & Christyne J. Vachon, *Planting the Seeds and Getting into the Field: The Role of Law Schools in Ensuring Access to Justice in Rural Communities*, 59 S.D. L.REV. 616 (2014).

8. See *infra* notes 10-11.

9. Daniel D. Clark, *The Rural Attorney Shortage is Turning Into a Crisis in Washington State*, WASHINGTON STATE BARNEWS (June 12, 2023), <https://wabarnews.org/2023/06/12/presidents-corner-the-rural-attorney-shortage-is-turning-into-a-crisis-in-washington-state/>.

10. *Id.*

11. Lisa R. Pruitt et al., *Legal Deserts: A Multi-State Perspective on Rural Access to Justice*, 13 HARV. L. & POL'Y REV. 15, 47 (2018).

12. *Id.*

13. Kamron Graham, *Rural Oregon Needs Our Engagement*, OR. STATE BAR BULLETIN 30 (Dec. 2022).

Just as many rural residents are isolated from lawyers, so too are they isolated from courts.¹⁴ People require access to courts for a wide variety of reasons, including jury service, appearing for a criminal offense, or handling a civil matter. Most Americans find themselves having to access a court or its services at some point in their life to handle routine offenses, such as traffic violations.¹⁵ These sorts of low-level offenses are an especially important component of the rural access to justice landscape because of the role courts play in providing mitigation of associated fines and fees. Given geographic isolation, it is exceedingly difficult for many rural residents to appear in court when summoned, to contest fines, and to request fee reduction in light of economic hardship. In many cases, fee reduction and mandatory appearance in court for lower-level crimes are actions that can be taken *without* the assistance of a lawyer. Traffic violations, for instance, are routine, low-level infractions that can be handled without the assistance of counsel and that many people with access to a court or the resources of a court can address with minimal impact on their life. But for low-income rural residents, even the most minor violations can generate devastating cascading consequences, including serious debt and incarceration.¹⁶

Previous scholarship has identified the negative impact of court debt on low-income individuals, but that work has primarily focused on urban populations.¹⁷ In the rural context, fines and fees become even more insurmountable given the vast distances that separate residents from their courts. When a low-income rural resident cannot access their court because it is an hour or more away, they often lose access to fee reduction, causing them increased financial hardship. They also risk incurring failure to appear charges which can result in driver's license suspension, a penalty with especially dire consequences for people in areas without public transportation.¹⁸ This article aims to extend scholarship of the role played by legal fines and fees in exacerbating poverty by focusing on the understudied rural context.

Existing scholarship's emphasis on the attorney shortage responds to only one component of the rural access to justice problem. This Article aims to build upon present scholarship by focusing specifically on the issue of geographic distance from courts. The piece will explore the problem in part by investigating just how far rural residents must travel in order to reach a court. This investigation is by no means comprehensive; rather, it selects a small sample of rural communities and determines, simply by using Google Maps, how far a resident would

14. See *infra* pp. 7-11.

15. Daniel Robinson, *Traffic Ticket Statistics 2024*, MARKET WATCH GUIDES (Oct 3, 2024), <https://www.marketwatch.com/guides/insurance-services/traffic-ticket-statistics/>.

16. See *infra* pp. 5-7.

17. See, e.g., Joseph Shapiro, *As Court Fees Rise, The Poor Are Paying The Price*, NPR (May 19, 2014), <http://www.npr.org/2014/05/19/312158516/increasing-court-fees-punish-the-poor>; Travis Stearns, *Legal Financial Obligations: Fulfilling the Promise of Gideon by Reducing the Burden*, 11 SEATTLE J. FOR SOC. JUST. 963, 966-67 (2013); Torie Atkinson, *A Fine Scheme: How Municipal Fines Become Crushing Debt in the Shadow of the New Debtors' Prisons*, 51 HARV. C.R.-C.L. L. REV. 189 (2016).

18. See *supra* note 14.

need to travel in order to reach the nearest courthouse. Even this small sample will make clear that thousands of rural West Coast residents must travel between one to three hours to get to a physical courthouse.¹⁹ By generating this data, geographic isolation from courts becomes visible as a self-evident problem within the rural access to justice paradigm, much as existing attorney to resident ratio data makes explicit the severity of the rural attorney shortage.

Using new data in tandem with previous scholarship on rural poverty and legal system entanglement, this article argues that without a legitimate opportunity to appear before a judge, rural individuals are made to face legal punishment, in the form of license suspension, jail time, and fees, in violation of the due process right to be heard. As such, the high burden placed on rural residents because of their geographic separation from courts implicates the due process clause of the Fourteenth Amendment.²⁰ Consequently, geographic isolation from courts constitutes a poverty generating, constitutionally violative access to justice crisis on the rural West Coast.

After describing the severity of the constitutional issues at play in rural access to justice, the article transitions to a more instrumental discussion of potential solutions and litigation strategies for enacting them. The article will explore use of the Americans with Disabilities Act (ADA) as a potential litigation strategy for enacting remedial measures on state governments to force them to change delivery of court services so as to better reach disabled residents located far away from courts. Doing so would make progress toward ameliorating the constitutional violations inherent in the current rural access to justice landscape. The ADA may initially appear irrelevant to the generalized problem of rural access to justice, given that the latter is not a disability-specific issue, but using the ADA has the potential to benefit rural residents more broadly since the remedies won by ADA litigation victories in rural contexts would focus on bringing services to isolated residents. In making this argument, the Article draws upon theories of universal design, and particularly the universal design-based idea that thoughtfully integrated disability accommodations can powerfully benefit third parties.²¹

Universal Design, according to Elizabeth F. Emens, is “a systematic approach to designing environments and products so that all people can use them without modification.”²² Implementing the ADA as a strategy to increase access to justice for rural residents in general, rather than solely for disabled rural residents in particular, follows a universal design paradigm, in which the overall environment of judicial access improves for all users by improving its design layout.²³ By investigating successful ADA claims, this Article posits that plaintiffs from a rural context could have success in court given analytical and factual similarities between

19. See *infra* appendix.

20. See *infra* pp.18-19.

21. Elizabeth F. Emens, *Integrating Accommodation*, 156 U. PA. L. REV. 839 (2008).

22. *Id.* at 856.

23. Research into the “curb cutting” effect is also salient here. See, e.g., Angela Glover Blackwell, *The Curb-Cut Effect*, STAN. SOC. INNOVATION REV. (2017).

their situation and those of successful plaintiffs bringing reasonable accommodation ADA claims in urban contexts. Finally, the Article discusses potential solutions, including both litigation remedies and more free-standing policy initiatives, with a specific focus on town legal centers and other programs that bring the resources of the court into isolated communities, thereby improving the access environment for all rural residents.

People of all socioeconomic statuses, and of all regions, urban and rural, are likely to receive low-level infractions or citations at some point in their lives.²⁴ But for low-income rural residents, the confluence of geographic isolation and economic status can often result in even the most routine fines triggering a cascade of severe, disproportionate consequence, as borne out by the fact that the foremost reason for jail bookings in many rural counties is “as a penalty for problems navigating technical rules set by the criminal legal system.”²⁵ Our legal system should not be arranged to allow such violations to cascade into debt, increased contact with the legal system, and eventual incarceration.

Actions can be taken to ameliorate the fundamental access to justice crisis at the crux of this pattern by ensuring that court resources reach across geographic distance and into isolated communities. This Article aims to serve as a roadmap for potential strategies towards the goal of ensuring access to basic judicial resources for rural communities. At present, a person’s geography often determines what sort of justice they will receive. Ensuring that rural residents have the same access to justice as their urban neighbors is a constitutional imperative, and essential for making the West Coast a more equitable place.

II. PROHIBITIVE DISTANCES FROM COURTS

A. Investigation

In order to concretely establish the prohibitive role of distance in rural access to justice, this article analyzes the geography of the three West Coast states’ courts in relation to a collection of rural communities. The goal of the investigation was to determine how far rural residents must travel to reach the nearest state courthouse within their county. For California, the research draws upon the California Courts website, and specifically the “Find My Court” page.²⁶ This page contains a list of all of the non-federal courts in each county.²⁷ The search focused on counties listed as either “rural” or “mixed urban/rural” by the California Commission on Access to Justice.²⁸ The “locations” button for each county

24. *Supra* note 14.

25. JENNIFER PEIRCE ET AL., RURAL WASHINGTON STATE NEEDS CRIMINAL LEGAL SYSTEM REFORM, 1-7 (2022).

26. *Find Your Court*, CAL. CTS., https://www.courts.ca.gov/find-my-court.htm?query=browse_courts (last visited Oct. 29, 2023).

27. *Id.*

28. THE COMMISSION, *supra* note 3, at 6. It should be noted that although I excluded “urban” counties from my research, these counties can, and often do, contain rural communities. *See, e.g.*, Pruitt & Williams, *supra* note 5, at 30 (explaining that Los Angeles County has 200,000 rural residents).

generates a list of all the superior court locations in the county.²⁹ Once all the superior courts in a county were located, Google Maps was used to identify small towns and unincorporated communities within that county. From there, Google Maps determined distance and drive time between selected communities and their nearest superior court location. This method generated a list of some of the substantial, burdensome distances that separate rural Californians from their courts.³⁰

For Oregon, the methodology was similar. The investigation started with the Oregon State Courts website and landed on the “Trial Court Locations” page.³¹ As with California, the study used Google Maps to calculate the distance and drive time between rural communities and their state court. Unlike California, Oregon still has municipal courts, which are not listed on the state court website. For each incorporated community selected, research verified that they did not have a municipal court. The majority of the communities included are not incorporated, and so by definition lack a municipal court. For Washington, the investigation began with the Washington Courts Website, from there located the court directory, and then landed on the “Superior, Juvenile, District & Municipal Courts by County” directory page. From here, one can select counties and identify all of the Washington courts within, including municipal courts.

This list encompasses three states, eighteen counties and over 12,000 residents. It is important to note that the list is by no means comprehensive; the true number of rural residents who experience drive times of over an hour to their courthouse are almost certainly much higher, given that the research in this article focused on a relatively small list of towns. The goal of the research was to generate a list of example distances to gain an understanding of how far some rural residents must travel to reach their courts, because no previous data on the topic appears to exist. All of the 12,374 individuals identified reside in rural communities with a fifty minute or greater drive time to the nearest courthouse. The charts located in the appendix at the end of the article list the communities and their distance from the nearest state or municipal courthouse by state and county name.³²

B. Implications of Findings

The fact that the 12,374 people identified in this Article’s appendix are spread out over eighteen counties reveals that lack of access to courts on the rural West Coast is pervasive throughout the region, all the way from the Canadian border in Washington’s Pend Oreille County, to the low deserts of Inyo County,

29. E.g., *Find Your Court (Inyo)*, CAL. CTS., <https://www.courts.ca.gov/find-my-court.htm?query=Inyo> (last visited Dec. 8, 2022). I did not include federal courts in my research. My aim was to determine how far residents would have to travel for routine legal matters, such as a traffic court, family law matters, or misdemeanor level criminal violations. Distance from federal courts likely pose access to justice issues as well and could be an area for future research.

30. *Infra* appendix.

31. *Locations & Contact Information*, OR. STATE CTS., <https://www.courts.oregon.gov/courts/Pages/locations.aspx>, (last visited Nov. 14, 2024).

32. See *infra* appendix.

home to Death Valley. All 12,374 individuals live a minimum of fifty minutes from the nearest courthouse, but some live much farther. The longest travel time was for the unincorporated community of Little Grass Valley, where a resident must drive for three hours and thirty minutes to reach a courthouse. The furthest distance in miles was for the town of Tecopa, where the nearest court location is one hundred eighty-eight miles and thus three hours and twenty minutes away. The price of gas for a six-hour-and-forty minute, three hundred and seventy-six mile round-trip drive is approximately eighty-five dollars, which is particularly burdensome to rural residents, who are more likely to experience poverty than their urban counterparts.³³ If an individual lacks a car or has a suspended license, the distance to a court is even more prohibitive, as public transportation in rural areas of the West Coast is far less developed, and often non-existent, thereby leaving a person without access to a car with few options.³⁴

The relatively shorter distance of forty-three miles over fifty-three minutes, like that experienced by the 2,270 residents of Ahwahnee, would also prove incredibly burdensome to an individual with no access to a car, little access to public transportation, and little to no financial resources with which to procure a solution to those problems.³⁵ The lack of access to courthouses is therefore an especially prohibitive component of the rural access to justice problem on the West Coast, with particularly dire repercussions for some of the region's most vulnerable residents. The situation presents a crisis in access to justice, given that distances of over an hour from the nearest court, in areas lacking public transportation, make it exceedingly difficult, if not functionally impossible, for individuals to access their due process right to a hearing.

III. ISOLATION, CASCADING LEGAL BURDENS, AND RURAL POVERTY

Wherever the individuals included in this Article's research travel, that travel is most likely done by personal vehicle. This is because in rural areas of the West Coast, reliance on cars and trucks is, at present, reality. In many communities, public transportation options are limited, necessitating the possession and use of a personal vehicle for travel.³⁶ As a result, access to a personal vehicle is a non-negotiable necessity for reaching essential locations such as schools, grocery stores, healthcare centers, and work sites. Loss of access to a car, as well as loss of the

33. THE COMMISSION, *supra* note 3, at 60; *Fuel Cost Calculator*, CALCULATOR.NET, <https://www.calculator.net/fuel-cost-calculator.html?tripdistance=376&tripdistanceunit=miles&fuel efficiency=20&fuel efficiencyunit=mpg&gasprice=4.50&gaspriceunit=gallon&x=Calculate> (assuming a fuel cost of \$4.50, and a mileage per gallon of 20).

34. JESUS M. BARAJAS & WEIJING WANG, NAT'L CENTER FOR SUSTAINABLE TRANSPORTATION, *MOBILITY JUSTICE IN RURAL CALIFORNIA: EXAMINING TRANSPORTATION BARRIERS AND ADAPTATIONS IN CARLESS HOUSEHOLDS* i (2023).

35. See *infra* appendix.

36. BARAJAS & WANG, *supra* note 34; WASHINGTON STATE DEP'T OF TRANSP., 2022 PUBLIC TRANSPORTATION MOBILITY REPORT 47 (2022); OREGON DEP'T OF TRANSPORTATION, OREGON TRANSIT NETWORK 2019 REPORT 56 (2020).

ability to drive, can have comprehensively devastating consequences on rural resident's lives.

The stakes of traffic violations are therefore uniquely high for rural residents. A traffic fine can be financially burdensome and, in some cases, debilitating for lower income residents.³⁷ In recognition of the disparate impact that traffic fines can have on lower income citizens, states have set up mechanisms for alleviating the burden of fines.³⁸ These mechanisms typically take one of two forms. The first, and most common, is a court hearing to explain financial hardship, followed by a judge's decision to reduce or waive the fine. The second mechanism is submitting an online form for requesting fee reduction.³⁹ Both of these options fail rural residents because they are ill-suited to the realities of rural geography and resources.

Although some jurisdictions have begun to allow fee reduction requests through online form submissions, rural residents disproportionately lack access to an internet connection. Lack of broadband internet is widespread across the rural West, and frequently impacts entire communities.⁴⁰ As a result, online fee reduction forms are, for many, an infeasible tool even when they are available, and they often are not. Requesting a fee reduction at an in-person court hearing, by contrast, is an option in most any low-level traffic citation scenario.⁴¹ But rural communities are often geographically isolated from courts, effectively denying them access to just, need-based adjudications of even the most low-level of citations. Without access to an internet connection or legal transportation, a rural resident separated from their courthouse by hundreds of miles or multiple hours might find a basic traffic citation to be the catalyst for mounting legal debt, license suspension, or even eventual detainment.⁴² Geographic isolation from legal resources is the crux of the access to justice crisis stemming from poor rural communities' insufficient access to legal resources.

Research has drawn into focus just how destructive and cyclical the consequences of lack of access to courts are for rural communities. The Vera Institute of Justice found that between 2015 and 2021, the most common reason that people in five of Washington State's rural counties were booked into jail was "as a

37. Torie Atkinson, *A Fine Scheme: How Municipal Fines Become Crushing Debt in the Shadow of the New Debtors' Prisons*, 51 HARV. C.R.-C.L. L. REV. 189 (2016).

38. The financial consequences of a traffic citation are especially burdensome in California, which has the highest cost of traffic penalties in the U.S. See Natalie V. Navarro, *California Traffic Penalties are Highest in US and Disproportionately Affect Black and Latinx Drivers, Report Finds*, KQED (Oct. 5, 2022), <https://www.kqed.org/news/11927758/california-traffic-penalties-are-highest-in-us-and-disproportionately-affect-black-and-latinx-drivers-report-finds>.

39. JACOB DENNEY, SPUR REGIONAL STRATEGY, MORE HARM THAN GOOD BUILDING A MORE JUST FINE AND FEE SYSTEM IN CALIFORNIA 5, 8 (2021).

40. Felicity Barringer, *By Land or Sky, Rural Western Communities Seek an Elusive Good: Broadband Internet Access*, & THE WEST, BILL LANE CTR. FOR THE AM. WEST (June 26, 2020), <https://andthewest.stanford.edu/2020/by-land-or-sky-rural-western-communities-seek-an-elusive-good-broadband-internet-access/>.

41. DENNEY, *supra* note 39, at 5.

42. PEIRCE, *supra* note 25.

penalty for problems navigating technical rules set by the criminal legal system.”⁴³ Furthermore, the researchers determined that driving with a suspended license was one of the most prevalent reasons for being sent to jail pretrial in these rural communities.⁴⁴ When people are unable to pay a fine, they often risk license suspension if they fail to have the fine reduced or waived.⁴⁵ When traveling to a court is infeasible, and fee reduction becomes unattainable, residents may be left with unpaid citations which can result in license suspension, leaving them with no valid transportation option beyond driving without a license. Driving without a license can, in turn, spiral into jail stays, mounting debt, and increasing legal problems.⁴⁶ The Washington statistics emphasize the cyclically destructive nature of lack of access to legal resources in rural areas.

Rural residents are more likely to be geographically distanced from their courts, both making fee reduction difficult or functionally impossible and increasing the chance that they fail to appear at hearings. This results in lack of access to fee reduction and mounting legal debt from unpaid citations, which can prompt license suspension in Oregon and Washington. Residents who are completely reliant on driving in order to access work and court may be left with the intensely challenging decision of whether to miss out on working and accrue even more debt, or drive with a suspended license. Confronted with a no-win scenario, they then face the risk of jail, resulting in even more missed work and legal fees. This exacerbates the financial burden that the legal system failed to ameliorate much earlier on in the cycle by neglecting to make fee reduction attainable. This cycle is not just a hypothetical—in the counties included in the study, driving with a suspended license accounted for ten to fourteen percent of jail admissions, making it a leading cause of pretrial admission to jails.⁴⁷

The problem extends beyond the specific issue of traffic citations. In the Washington study, people were most often booked into jail as a consequence of failing to successfully navigate technical rules set by the criminal legal system.⁴⁸ These technical rule violations include failure to appear for court or not paying a fine, which was the single most common reason for jail bookings, accounting for twenty-three to thirty percent of admissions.⁴⁹ Failure to appear charges are evidently generating an outsized impact on the landscape of criminal justice in rural areas. And yet, for many residents, traveling to a court to appear is incredibly burdensome, given the vast distances that separate many rural communities from their courthouses. Because access issues increase contact with the jail system, barriers to accessing courts therefore result in a cascade of both fine or fee related debt, and of serious criminalization. Failure to appear violations are consequently

43. *Id.* at 1.

44. *Id.*

45. DENNEY, *supra* note 39.

46. *Id.* at 1-7; Atkinson, *supra* note 17.

47. PIERCE, *supra* note 25, at 2.

48. *Id.* at 1.

49. *Id.*

an especially problematic component of the rural access to justice crisis, given the realities of geographic legal access disparities and personal vehicle based rural transportation systems.

There is some sign of political movement on the issue of license suspension. California has taken legislative action to end the practice of suspending licenses for failure to appear. In 2022, the state passed Assembly Bill 2746, which, beginning in 2027, forbids the Department of Motor Vehicles from suspending the licenses of people who fail to appear in court.⁵⁰ California's enactment of AB 2746 makes progress towards addressing some of the disproportionate impacts of traffic citations on those without the means to access a court, because it disrupts the legal cascade of mounting debt and ever-increasing sanctions that a person might face in the legal system as a result of driving with a suspended license. Although rural populations were not an explicit target of the legislation, the impact on these communities could be profound. A rural resident whose license is suspended for failure to appear as a result of living far from their court is left with little option but to drive with that suspended license for even the most essential of transportation tasks, thereby exposing them to criminal sanctions.

AB 2746 disrupts the cascading consequences of that scenario by ensuring that a person with a failure to appear charge would not have a license suspension in the first place. By enabling rural residents to maintain their licenses, and by extension legal access to what in many scenarios is their only means of transportation, residents are empowered to continue accessing essential locations, such as school or the workplace, rather than suffering the financial consequences and possible detainment that results from driving with a suspended license. The legislation also improves lower-income rural residents' ability to address the citations that may have led to the failure to appear in the first place. With a license to drive to work or to a legal aid office in the next county, a person is closer to resolution of the legal challenges they face. Given the transformative impact of a valid driver's license on many rural residents' transportation capabilities, AB 2746 is an important step forward in improving geographical injustice in rural California.

California's legislation does not affect Oregon and Washington, however. License suspension is still a very real component of the access to justice landscape in the rural West Coast, because neither Oregon nor Washington have enacted AB 2746 equivalents. The devastating cascading consequences of license suspension will continue to disproportionately impact many of the 769,815 rural Washingtonians and 1,405,705 rural Oregonians until those states enact their own bans on license suspension for failure to appear.⁵¹ Further, AB 2746 addresses only one narrow component of the traffic citation system's multifarious barriers

50. Assemb. B. 2746, 2021-2022 Leg. Sess. (CA 2022).

51. Rural Health Information Hub, *Washington*, <https://www.ruralhealthinfo.org/states/washington>About Rural and Frontier Data>, OR. OFF. OF RURAL HEALTH, [https://www.ohsu.edu/oregon-office-of-rural-health/about-rural-and-frontier-data#:~:text=Using%202023%20Claritas%20data%2C%2033,\(2%2C793%2C066\)%20in%20urban%20areas](https://www.ohsu.edu/oregon-office-of-rural-health/about-rural-and-frontier-data#:~:text=Using%202023%20Claritas%20data%2C%2033,(2%2C793%2C066)%20in%20urban%20areas).

to realization of full due process rights for rural residents. Perhaps most pertinently, it does not ameliorate the disproportionate financial impact of traffic citations, and indeed a host of other legal fees, on rural residents and especially low-income rural residents who cannot access a court without a great amount of travel. In other words, even individuals who retain a driver's license still must surmount the barriers to justice erected by time and distance. People in towns like Tecopa, who must make a six hour round trip drive to access a courthouse, have insufficient access to justice, even when they are licensed.⁵² Residents in this position thus are still functionally denied their opportunity to be heard. The crisis of fine and fee related debt, which is pervasive throughout the West Coast, is exacerbated into a full-scale constitutional crisis when residents, as a result of their geography, must drive an hour or more to have a judge hear their financial need for relief.⁵³ At present, a person's geography acts as an oft-determining factor in the justice that they will receive, even for the most minor of traffic citations. Moreover, given the cascading financial consequences that accompany lack of access to a court, the court system actively generates rural poverty. This reality is nothing short of a widespread access to justice crisis, and a constitutional violation.

IV. CONSTITUTIONAL IMPLICATIONS

Charging residents with failure to appear violations when geographic shortcomings of the judicial system leave them functionally unable to access their courts constitutes a Fourteenth Amendment due process violation.⁵⁴ Without a legitimate opportunity to appear before a judge, individuals are made to face legal punishment, in the form of license suspension, jail time, and fees, without fulfillment of their constitutional right to be heard.⁵⁵ If geography makes it functionally impossible to appear in court, then penalties stemming from that failure constitute a due process violation. The high burden placed on rural residents because of geographic separation from courts implicates the Due Process Clause of the Fourteenth Amendment.

Although courts have not often addressed the issue of constitutional violations in relation to rural geographic isolation from courts, jurisdictions all the way up to the United States Supreme Court have ruled on the constitutionality of fines and fees for low-income people. In *Bearden v. Georgia*, the Supreme Court held that the trial court could not revoke a defendant's probation for failure to pay a fine, absent a finding that he was both responsible for the failure, and that alternative forms of punishment would be insufficient for meeting the state's deterrence and punishment goals.⁵⁶ The Court explained that "[t]he State may not use as the sole justification for imprisonment the poverty *or* inability of the probationer to

52. See *infra* appendix.

53. See Atkinson, *supra* note 17; PEIRCE, *supra* note 25.

54. U.S. CONST. amend. XIV.

55. CONST. ANNOTATED, Amdt. 14.S1.5.4.4 Opportunity for Meaningful Hearing, https://constitution.congress.gov/browse/essay/amdt14-S1-5-4-4/ALDE_00013753/.

56. *Bearden v. Georgia*, 461 U.S. 660, 666 (1983).

pay the fine and to make restitution if he has demonstrated sufficient bona fide efforts to do so.”⁵⁷ Analysis of whether a criminal defendant can be sanctioned for failing to pay a fine hinges on a question of willfulness.⁵⁸ Willfulness refers to acts done intentionally and voluntarily with the specific intent to do something forbidden by law.⁵⁹ A defendant acts willfully when they are able to bear the cost of a fine but do not, or fail to make serious efforts to seek employment or to borrow money to pay.⁶⁰ But if the defendant has in fact made genuine efforts to pay and still cannot, then to imprison them contravenes due process.⁶¹

Willfulness was central to *Hernandez v. California Department of Motor Vehicles*, which ultimately prohibited the California DMV from imposing driver’s license suspensions when the suspensions are based on failure to appear notifications that do not contain a statement explaining violation of the state misdemeanor statute.⁶² A violation of the misdemeanor statute requires a willful violation of the promise to appear. The plaintiffs argued that a failure to appear cannot be willful if a defendant’s lack of transportation is their reason for not making an appearance.⁶³ In its holding, the Court ultimately did not reach the question of whether lack of transportation would contravene a finding of willfulness. However, the Court did state that evidence of a lack of willfulness, such as when a person calls the court clerk with a “valid explanation” for failing to appear, might necessitate a finding that the failure was not willful.⁶⁴ In effect, *Hernandez* reaffirmed that a California driver’s license cannot be suspended in situations where the defendant’s failure to appear was not willful. The law of willfulness determinations, at least in California, remains heavily fact-based and resistant to overarching rules. However, the success of the *Hernandez* case and the eventual enactment of AB 2746 suggest an emerging acknowledgment of the disproportionate difficulties faced by low-income citizens in accessing courts, at least in the narrow context of license suspension.

The question of willfulness is especially pertinent in the rural context. In *Hernandez*, the plaintiffs lived exclusively in urban parts of the San Francisco Bay Area.⁶⁵ They argued that the impact of license suspension was devastating to their ability to engage in activities like taking children to medical appointments and going to work.⁶⁶ They also argued that lack of transportation should prevent a

57. *Id.* at 660 (emphasis added).

58. *Id.*

59. *United States v. Gregg*, 612 F.2d 43, 50-51 (2d Cir. 1979).

60. *Bearden*, 461 U.S. at 668.

61. *Id.*

62. *Hernandez v. Dep’t of Motor Vehicles*, 49 Cal. App. 5th 928 (2020).

63. Verified Petition for Writ of Mandate and Complaint for Declaratory and Injunctive Relief at 17, *Hernandez v. Dep’t of Motor Vehicles*, 49 Cal. App. 5th 928 (2020) [hereinafter *Hernandez Complaint*].

64. *Id.* at 509.

65. *Hernandez Complaint*, *supra* note 62.

66. *Id.*

finding of willful failure to appear.⁶⁷ In a rural community without public transportation, limited transportation is an even more daunting barrier to court appearance.

“Willfully,” the *Hernandez* court explained, “as generally used in the law is a synonym for intentionally.”⁶⁸ When a resident of a community, such as Tecopa or Ruth, must drive over four hours round-trip to appear in court, it is hard to argue that their failure to do so was entirely “intentional.” A four hour round-trip drive may be impossible for individuals who have work, childcare obligations, access to only one car within a household of multiple people, or lack a license. In a case of impossibility, deeming a failure to appear intentional is fundamentally inaccurate. Even with AB 2746 in place, receiving a failure to appear can have devastating consequences, including eventual jail time, for those charged.⁶⁹ The impact of this reality on rural communities is evident from the fact that in Washington, where rural incarceration rates are higher than the state average, problems with navigating technical rules set by the criminal legal system, including failure to appear, are the leading reasons for rural residents getting booked into jail.⁷⁰

The constitutional implications of this situation are serious. When residents are separated from their courts by up to an hour or more, they are functionally denied their due process right to be heard. When a resident is indigent, fines will have a severe economic impact on them, and the functional denial of their right to hearing where they can request fee reduction becomes a devastating due process violation.

Bearden vs. Georgia and other similar U.S. Supreme Court cases provide a potential road map for restructuring how courts account for geography in making willfulness determinations.⁷¹ *Bearden* holds that “if a State determines a fine or restitution to be the appropriate and adequate penalty for the crime, it may not thereafter imprison a person solely because he lacked the resources to pay it.”⁷² The *Bearden* Court argued that its new rule was necessary because states imprisoning people for the singular reason that they could not afford to pay a fine runs “contrary to the fundamental fairness required by the Fourteenth Amendment.”⁷³ The *Bearden* rule contains the following but-for component: If a person would not have been imprisoned but for their genuine inability to pay a fine, then states are disallowed from imprisoning them.⁷⁴ The rural context involves the same constitutional concerns, and would be amenable to a parallel legal solution: If a person would not have faced a specific legal sanction but for their geographic isolation from a court, then the state is disallowed from levying that sanction against them. In practice, this would apply to failure to appear violations. If a person would have appeared but for their geographic isolation from court, then that

67. *Id.*

68. *Hernandez*, *supra* note 63, at 509.

69. PEIRCE, *supra* note 25.

70. *Id.*

71. *See, e.g.*, *Griffin v. Illinois*, 351 U.S. 12 (1956); *Williams v. Illinois*, 399 U.S. 235 (1970).

72. *Bearden v. Georgia*, 461 U.S. 660, 660 (1983).

73. *Id.* at 661.

74. *Id.*

failure cannot be deemed willful. This rule would help assuage some of the gaps left by AB 2746, which prohibits driver's license suspension as a punishment for failure to appear but does not prevent rural residents from being charged with the failure to appear violation itself, even in scenarios wherein geography makes appearance infeasible.⁷⁵ As a result, the constitutional implications of the failure to appear charge's asymmetrical impact on rural versus urban residents remain in place. A *Bearden*-inspired rule, by contrast, would prevent unconstitutional failure to appear charges in the first place. Therefore, enacting a *Bearden*-style rule would stymie the disproportionate impact of failure to appear on rural residents, and act as a preventative measure against the cascading effects, including imprisonment and debt, of entanglement with technical rules set by the criminal legal system.

However, as much as AB 2746 was an important but non-comprehensive improvement upon the criminal justice system's role in rural poverty, adoption of a *Bearden*-style rule would only address a small component of the constitutional crisis arising out of lack of access to justice in rural communities. Crucially, such a rule would not necessarily reach the issue of residents being unable to access fee reduction because of geography. *Bearden* established that deprivation of liberty on the basis of being unable, despite reasonable effort, to pay a fee violates due process. *Hernandez* extended that argument to the suspension of driver's licenses for non-willful failure to appear. Whether a *Bearden*-style rule could be extended further to include a due process right to fee reduction hearings is an open question. Indeed, fee reduction hearings should be considered as part of a person's right to due process, and therefore the implications of denying residents the right to be heard could prove a fruitful avenue for constitutional litigation. But another area of law, outside of the constitutional precedents, provides a potentially more immediate litigation strategy for accomplishing fee reduction access: disability law. The Americans with Disabilities Act (ADA) is particularly well-suited to strategically address lack of access to fee reduction in rural areas through litigation.

V. APPLICATION OF THE ADA

To assuage the constitutional violations inherent to a legal system in which rural residents disproportionately lack access to fee reduction, advocates must employ strategies which address the transportation-based barriers between rural citizens and their courts. One potentially powerful litigation approach to bring this about involves mobilization of the Americans with Disabilities Act (ADA). The ADA prohibits discrimination against people with disabilities in several areas, including "access to state and local government's programs and services."⁷⁶ In particular, the scenario implicates § 12132 of the ADA, which states that "no qualified individual with a disability shall, by reason of such disability,

75. Assemb. B. 2746, 2021-2022 Leg. Sess. (CA 2022).

76. U.S. DEP'T OF LABOR, *Americans with Disabilities Act*, <https://www.dol.gov/general/topic/disability/ada>.

be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity.”⁷⁷ Disabled rural residents are especially impacted by geographic isolation from their courts, because they are more likely to be reliant on public transportation, a service that simply does not exist in many rural communities.⁷⁸ As such, there are arguments to be made, under both reasonable accommodation and disparate impact theories permitted by the ADA, that geographic barriers to court services in rural areas constitute an ADA violation. Many disabled rural residents cannot drive and have no access to public transportation, and thus may have no way of accessing essential court services. This constitutes a denial of a benefit of the services of a public entity, the court system, by reason of disability, which is explicitly prohibited by § 12132.

Considered in more systematic terms, case law has identified three elements necessary for plaintiffs to establish an ADA violation by a public entity:

- (1) they [plaintiffs] are “qualified individuals” with a disability; (2) that the defendants are subject to the ADA; and (3) that plaintiffs were denied the opportunity to participate in or benefit from defendants’ services, programs, or activities, or were otherwise discriminated against by defendants, by reason of plaintiffs’ disabilities.⁷⁹

Disabled rural residents unable to access the services of their courts satisfy these elements. Courts are a quintessential public entity, and therefore fall under the auspices of the ADA, as required by the second element. Rural ADA plaintiffs would next have to prove the third element by demonstrating that they were barred from both participating in and benefitting from the court’s services, because of prohibitory distance, making physical access impossible due to travel limitations related to their disability. The case law examined in this part of the Article will provide more context for how disabled rural plaintiffs might establish the third element, which is the crux of a hypothetical claim against states that fail to provide court access to rural residents.

Plaintiffs can pursue ADA claims using one or more of three theories: Reasonable accommodation, disparate impact, and disparate treatment. The two cases analyzed in this section, *Henrietta D. v. Bloomberg* and *Miles v. Wesley*, articulate reasonable accommodation and disparate impact theories for ADA claims under § 12132.⁸⁰ A major component of what makes the ADA a potentially powerful tool in combating lack of access to justice in rural areas is its embrace of reasonable accommodation and disparate impact theories as opposed to disparate treatment theories. It is difficult to conceive of an overt disparate treatment claim against

77. 42 U.S.C. § 12132.

78. BARAJAS & WANG, *supra* note 34.

79. *Henrietta D. v. Bloomberg*, 331 F.3d 261, 272 (2003).

80. *Id.* at 261; *Miles v. Wesley*, 801 F.3d 1060, 1061 (9th Cir. 2015).

governments failing to provide adequate court services to disabled rural residents, as there is no evidence of an explicit attempt to deny such resources on the basis of a person's disability. But there is likely more evidence of the disparate impact that the current allocation of court resources has on disabled residents in rural areas, and likewise of the failure of state governments to provide reasonable accommodation to such individuals. This section uses case law to articulate reasonable accommodation and disparate impact pathways to ADA claims on behalf of disabled rural residents.

The ADA is also powerful in the rural context because of the wide-reaching remedies a claim might eventually produce. ADA litigation could bring about expanded access to court services not only for disabled rural residents, but also for rural residents in general.⁸¹ If disabled plaintiffs in rural areas were to prevail on a claim that vast distances from courts resulted in their being denied the services of a public entity in contravention of the ADA, then they would be entitled to remedies that alleviate illegal barriers born of geographic isolation from courts. Such remedies, whether they involved simply building more court facilities, or alternatively drew upon more creative solutions designed to bring the resources of the court to disabled citizens, would have the powerful auxiliary benefit of connecting rural residents as a broader class to desperately needed court resources. In the fee reduction scenario, residents once cut off from the essential benefit of fee reduction through court appearance by virtue of geography might gain access to those benefits if an ADA lawsuit were to result in an order for court resources to extend into rural areas. The ADA, therefore, would act as a tool to restore the due process and equal protection rights of a larger swath of rural residents, not solely those living with a disability.⁸²

This article's proposed implementation of the ADA as a means of alleviating rural access to justice barriers is an example of a measure pushing legal systems closer to a theory of universal design, which Elizabeth F. Emens defines as "a systematic approach to designing environments and products so that all people can use them without modification."⁸³ Specifically, it follows a sub-theory articulated in Emens' work, often referred to as the "curb-cutting effect," which posits that thoughtfully integrated disability accommodations powerfully benefit third parties.⁸⁴ In the rural access to justice context, the remedies won by successful ADA claims would do just that: benefit non-disabled rural third parties. This is because in order to improve access for disabled ruralites, litigation-imposed remedies, or at least the most effective of those remedies, would result in changes to the overall legal environment which would improve access for everyone. In order to reach rural residents, after all, most remedies would require reaching into rural communities, and hence improving the accessibility of the overall legal and judicial

81. Research into the "curb cutting" effect is salient here as well. See, e.g., Angela Glover Blackwell, *The Curb-Cut Effect*, STANFORD SOC. INNOVATION REV. (2017).

82. *Id.*

83. Emens, *supra* note 21.

84. *Id.*

environment in those communities. Something closer to a universally designed court system would be the result.

At present, tens of thousands of rural West Coast residents live over an hour from their nearest superior or municipal court location. As previously discussed, this reality results in plain constitutional violations. When distance makes one's appearance in court to request a fee reduction functionally impossible, or at least incredibly burdensome, then a person has lost their due process right to be heard. The ADA could prove a formidable tool for bridging the gap between rural residents and their courts, and effectuating solutions to a constitutionally violative access to justice crisis in the process. Doing so would produce remedies generative of a court system more accessible to the greatest number of people within the rural context.

Distance from courts has already been litigated as a potential ADA violation, although not to any conclusive end, and not in a rural context. *Miles v. Wesley* was a case brought in the Ninth Circuit, in which the plaintiffs alleged that "consolidation of unlawful detainer actions into specialized courts in fewer locations throughout [the] county" violated the ADA.⁸⁵ The plaintiffs argued that "because individuals with disabilities and minorities are disproportionately renters who rely on public transportation, the closure of these courtrooms would have a disparate impact on these communities."⁸⁶ The county's consolidation plan reduced the number of courts handling unlawful detainer actions from 26 neighborhood courthouse to just five "hub" courts.⁸⁷ The plaintiffs, who had physical limitations and relied on public transportation, consequently had a "harder time traveling from their homes to a hub court to have their cases heard."⁸⁸ The alleged ADA violation, then, was one based upon geographical and transportation barriers: fewer court locations meant longer distances for plaintiffs, a "harder time traveling," and ultimately, an arguably illegal disparate impact on disabled people. The Ninth Circuit affirmed the lower court's dismissal of the case on unrelated abstention grounds, and therefore did not reach the issue of whether the ADA had in fact been violated.⁸⁹ Nevertheless, *Miles* represents an articulation of the theory that disproportionate lack of access to court facilities for those with disabilities constitutes a violation of ADA § 12132.

The arguments made in *Miles* are readily portable to a rural context. In communities wherein public transportation does not exist, people who cannot drive because of their disability would likely face more difficulty traveling than the Los Angeles County-based plaintiffs in *Miles*. Further, we know that the distances separating residents from their courts in rural areas are much greater than those in *Miles*. In *Miles*, the courts were still arranged, post-consolidation, so as to ensure

85. *Miles*, 801 F.3d at 1061. The plaintiffs also argued due process and equal protection violations.

86. *Id.* at 1062.

87. *Id.*

88. *Id.* at 1064.

89. *Id.* at 1060.

that no individual would have to travel more than 32 miles to access a hub court for unlawful detainer matters.⁹⁰ Every town studied in the research presented in this article is located more than 32 miles away from the nearest courthouse within its county boundaries—and many are located much farther, in several cases over 100 miles away.⁹¹ Some of the 12,374 residents living in the towns and unincorporated communities studied are surely disabled.⁹² Regarding distance, they would face even greater challenges accessing courts than the plaintiffs in *Miles*, who the Ninth Circuit acknowledged faced “serious access to justice concerns.”⁹³ These facts draw into focus that an ADA claim may be possible. Although the plaintiffs in *Miles* did not succeed due to federal abstention precedent, their arguments nonetheless provide a useful roadmap for potential ADA claims from rural residents seeking access to justice.⁹⁴ Though the Ninth Circuit noted that the access to justice concerns were beyond the purview of that court’s jurisdiction, it is worth noting that the Court did state that the plaintiffs’ concerns in this regard were “serious.”⁹⁵ A claim from disabled rural residents, based on facts distinct from those presented in *Miles* and brought in the correct jurisdiction could hold much potential for success.

Although not concerned with access to courts, *Henrietta D. v. Bloomberg* is another case containing facts and strategies applicable to the rural context. It also has the distinction of success—unlike in *Miles*, the plaintiffs in *Henrietta* won their ADA claim.⁹⁶ The *Henrietta* plaintiffs were a class action group of Medicaid-eligible New York City residents living with HIV who faced “unique physical hurdles in attempting to access certain public assistance benefits and services.”⁹⁷ They claimed that the Division of AIDS Services and Income Support (DASIS), the city agency responsible for helping them access public benefits and services, was “ineffective and systemically fail[ed] to achieve its goals,” in contravention of ADA requirements.⁹⁸ Key to this case was the plaintiffs’ advancement of a reasonable accommodation rather than disparate impact claim.⁹⁹ The defendants argued that plaintiffs failed to demonstrate having received less access than people without disabilities to the services they sought, and that therefore they were not denied the benefits or services of a public

90. *Id.* at 1062.

91. *See infra* appendix.

92. Rebecca Leppert and Katherine Schaeffer, *8 facts about Americans with disabilities*, PEW RSCH. CTR. (2023), <https://www.pewresearch.org/short-reads/2023/07/24/8-facts-about-americans-with-disabilities/#:~:text=Overall%2C%20there%20are%20about%2042.5,Census%20Bureau%20data%20from%202021.>

93. *Id.* at 1064.

94. *Id.* at 1060; LEGAL INFO. INST., *Abstention*, <https://www.law.cornell.edu/wex/abstention> (last accessed Nov. 15, 2024) (defines abstention as “an authority that precludes federal courts from hearing cases with its jurisdictions, instead, giving state courts authority over the case”).

95. *Id.* at 1064.

96. *Henrietta D. v. Bloomberg*, 331 F.3d 261, 272 (2003).

97. *Id.* at 265.

98. *Id.*

99. *Id.* at 269.

entity.¹⁰⁰ The court rejected the defendants' argument and validated the plaintiffs' reasonable accommodation approach, stating:

[A] public entity is not only prohibited from affording to persons with disabilities services that are "not equal to that afforded others," *id.* § 35.130(b)(1)(ii), or "not as effective in affording equal opportunity," *id.* § 35.130(b)(1)(iii), but also cannot prevent a qualified individual with a disability from enjoying "any aid, benefit, or service," *id.* § 35.130(b)(1)(i), regardless of whether other individuals are granted access.¹⁰¹

The court's embrace of a reasonable accommodation theory of ADA violation is important in the rural context because disabled rural residents would likely have a stronger claim under reasonable accommodation than under disparate impact. As has been discussed in this Article, many rural residents, regardless of disability status, lack access to courts due to geography. Just as the defendants in *Henrietta* argued that people living with HIV or AIDS in New York City did not actually receive reduced access to public services compared to other eligible city residents, entities defending against a claim from rural residents could argue that disabled people face identical challenges to non-disabled rural residents in terms of vast distances from courts and lack of public transportation. A disparate impact claim might still be possible by using disabled urban residents as a comparator class, or by digging deeper into the ample facts showing that disabled rural residents face even more daunting challenges accessing court services than their non-disabled peers. Nonetheless, that would require additional intensive fact-finding, and might be thwarted by the reality, however ironic, that access to justice is difficult for large swaths of rural residents, regardless of disability status.

Henrietta, therefore, provides a roadmap for a potential ADA claim on behalf of disabled rural residents seeking reasonable accommodation from the court system. The argument, in brief, would go as follows: States prevent disabled rural residents from enjoying the aid, benefit, and services of courts by systematically failing to locate court resources within reasonable distance from many rural communities, and therefore must provide reasonable accommodation for access as required by the ADA. In addition to spelling out how a claim might coalesce without reliance upon disparate impact, *Henrietta* also provides useful precedent for basing a claim on systematic failure by a state service provider. The plaintiffs' facts highlighted that "systemic problems [...] create obstacles to access for everyone."¹⁰² In other words, it was no one specific barrier to public benefits or services that made DASIS an illegal failure in terms of its inability to effectively serve people with HIV, but rather a multifaceted, overall failure of the program to connect the plaintiff class with the services they were entitled to under the law.

100. *Id.* at 271.

101. *Id.* at 274.

102. *Id.* at 277.

Likewise, the current geography of court systems up and down the West Coast systematically prevents tens of thousands of rural residents from accessing court services, thereby preventing disabled individuals from enjoying the aid, benefits, and services of a public entity. It is the geography of each state's court infrastructure that generates a systematic lack of access for rural residents. Because that systemic failure prevents disabled individuals from accessing benefits they are entitled to, it is illegal under the ADA.

Another notable component of *Henrietta* are the plaintiffs' facts focusing on physical accessibility. Given its import to the rural context, the following excerpt from the lower court's opinion, incorporated by the Second Circuit in *Henrietta*, is worth quoting at length:

[P]ersons with AIDS and HIV-related disease experience serious functional limitations that make it extremely difficult, if not impossible in some cases, to negotiate the complicated City social service system on their own. The opportunistic infections and chronic conditions that result from a weakened immune system limit the HIV-infected person's ability to engage in regular activities of daily life such as traveling, standing in line, attending scheduled appointments, completing paper work, and otherwise negotiating medical and social service bureaucracies.¹⁰³

The Court found that the City's failure to accommodate plaintiffs' functional limitations, including difficulties with traveling, amounted to a violation of the ADA since it effectively prevented them from enjoying the aid, benefit, and services to which they were entitled. At present, many disabled rural residents facing functional limitations including inability to travel long distances, or to travel by car, are faced with court systems whose geographies make it "extremely difficult, if not impossible in some cases," to access court services.¹⁰⁴ Such individuals, like the plaintiffs in *Henrietta*, are suffering an ADA violation due to failure of a public entity to accommodate their needs and facilitate access to public resources.

Henrietta's discussion and imposition of remedies is also useful. The lower court awarded the plaintiffs both declaratory and permanent injunctive relief, which proved comprehensive in scope.¹⁰⁵ The court ordered the City of New York to:

- (a) provide access to public benefits and services to every person with clinical symptomatic HIV illness or with AIDS who requests assistance and
- (b) ensure the provision of public benefits and services to eligible persons with clinical/symptomatic HIV illness or with AIDS, and
- (c)

103. *Id.* at 267.

104. *Id.*

105. *Id.* at 265.

comply with all legally-mandated time frames for the delivery of benefits and services.¹⁰⁶

These three components are only an overview of the injunctive relief granted. The total injunctive package consisted of a long list of remedies, including orders to “maintain specified ratios of caseworkers and supervisors to cases at each field office,” and to “enact a number of procedural reforms designed to provide . . . more efficient response to requests,” among several other remedial measures.¹⁰⁷ Although the bulk of this Article’s discussion of solutions and remedies occur in a later section, it is worth at least noting here the power of an ADA claim to bring about meaningful remedies for impacted individuals.

Especially notable is the first component of the court’s injunctive order, stating that the City must “provide access to public benefits and services to every person with clinical symptomatic HIV illness or with AIDS who requests assistance.”¹⁰⁸ Such a sweeping order to “provide access” to “every person” in the class of plaintiffs could have a dramatic impact on implicated individuals—especially if the overall order were paired with specific instructions for reform, as was the case in *Henrietta*. In the rural context, a similarly sweeping order might require providing access to the full resources of the state court system to every disabled person living in a rural county. Doing so would force states to bridge the geographical gap between disabled rural residents and their courts. In doing so, they would likely increase court access for all rural residents, regardless of disability status. An ADA claim, then, holds much potential as a strategy for forcing increased access to justice in rural communities by way of court mandated remedies capable of reaching, intentionally or not, a wide range of people.

Together, *Miles v. Wesley* and *Henrietta D. v. Bloomberg* provide inspiration for how potential ADA claims on behalf of rural residents without functional access to their courts might operate. *Miles* lays out the ADA violations at issue when distance and transportation barriers prevent low-income residents from accessing essential court resources. *Henrietta* demonstrates a winning strategy for suing public entities that systematically fail the people they are meant to serve, as well as explicates remedies with the potential to impact rural communities. Examination of the ADA in relation to disabled rural residents reveals a litigation strategy worth pursuing to force states to bridge the gap between rural communities and the essential services of their courts.

VI. SOLUTIONS

Solving the current rural access to justice crisis will require multifaceted reform. However, much of the crisis in fact stems from the same, relatively straightforward problem: plain failure on the part of West Coast state

106. *Id.* at 271.

107. *Id.*

108. *Id.*

governments to bridge the geographical distance between their large rural populations and their thoroughly urban centric court systems. As has been demonstrated, tens of thousands of rural West Coast residents are currently separated from their nearest court by at least an hour and sometimes by much more. Bridging this access gap will require multifaceted and meaningful reform to the current court system.

ADA litigation represents one strategy for achieving that reform. *Henrietta D. v. Bloomberg* demonstrates just how far-reaching court mandated ADA remedies can be. In *Henrietta*, the first two components of the remedial order mandated that the defendants both provide access to public benefits to *every* person with HIV or AIDS who requests them, and also proactively ensure that applicable benefits and services actually reach people living with HIV or AIDS.¹⁰⁹ The defendants were mandated to “ensure provision” of public services to the entire class of people who had been denied access on the basis of their disability. An ADA claim from disabled rural residents could likewise bring about a mandate that the state judicial system “ensure provision” of its services, namely, access to courts. This could take a variety of forms, including implementing any one of the possible solutions outlined in the remainder of this section. The key here is that an ADA claim could result in legally mandated changes, and hence force states to implement measures that would benefit a wide range of rural residents.

The relative efficacy of potential reforms, whether achieved through litigation remedies as outlined in this article, or alternatively by legislative effort or public policy initiatives, will hinge in large part upon their ability to bring about an overall court access environment that facilitates meeting the needs of rural communities. A universally designed rural court system would integrate into existing communities, and in fact draw upon the strengths of those communities, to generate an access landscape that truly works for the unique needs of rural areas, and hence effectively serves the most people possible within those areas. The subsections below discuss several reform options in detail, with a specific emphasis on town legal centers and other measures which bring the resources of courts directly into existing community hubs.

A. Construction of New Court Facilities

When individuals are functionally denied their due process rights simply because they cannot access the nearest court due to its being ninety-three miles away, as is true for the nine hundred and three residents of Tulelake, CA, at least one solution becomes obvious: build more court facilities.¹¹⁰ Indeed, literally building more courthouses should be a component of the solution. There is no perfect substitute for locating courts where residents can reach them, especially in the fee reduction and failure to appear contexts which typically require physical presence in a courtroom in order to either request a reduced fine or avoid a

109. *Id.*

110. *See infra* appendix.

criminal charge of non-appearance. Targeted analysis of where the most rural residents lack reasonable access to a courthouse, and subsequent court construction in areas particularly isolated from resources should be a part of the rural access to justice solution.¹¹¹ Recall that the plaintiffs in *Miles* argued that it was unconstitutional for Los Angeles County to close several courthouses because doing so made it far more challenging for residents to access those that remained.¹¹² Post closures, the furthest that any Los Angeles County resident would need to travel was thirty two miles.¹¹³ Meanwhile, Tecopa, one of the towns studied in this Article, is located one hundred and eighty-eight miles from the nearest courthouse.¹¹⁴ Evidently, the residents of Tecopa, and those of all the communities studied here, are faced with a constitutional crisis. Failing to build any courthouses at all within an hour of over 12,000 people is plainly constitutionally precarious, and in need of remedy.

Of all potential solutions to the problem, however, building courthouses may well be the most expensive option.¹¹⁵ Furthermore, when so many communities are remotely located in the rural West Coast it might be genuinely infeasible to create a judicial system wherein every single rural community has a court a short distance away. Courthouse construction can therefore only be one part of a larger program of reform. But this does not mean that residents in communities where it would be impracticable to build a new courthouse are any less constitutionally entitled to access. Restoring due process rights will therefore necessitate additional, creative solutions. Happily, scholars in the rural access to justice arena have generated several alternative proposals for possible solutions.

B. New Attorneys

The bulk of legal scholarship discussing solutions to the rural access to justice crisis focus on the attorney shortages present in rural parts of all three West Coast states.¹¹⁶ The rural attorney shortage is indeed a dire problem in need of rapid amelioration. However, especially as applied to low-income residents, the shortage makes up only one part of the overall crisis. This is because, as has been noted in this Article, it is the supposedly lower level infraction or citation level offenses that drive the poverty generating, incarceration risking fees that plague low-income rural residents. But these situations can often be resolved without an attorney, by, for instance, requesting fee reduction on one's own in court. In fact, a resident facing a traffic fine for hundreds of dollars might not see consulting

111. Ordering an investigation into the rural access to justice landscape, like the oversight and investigation ordered in *Henrietta*, could help identify where it would be most beneficial to build courthouses.

112. *Miles v. Wesley*, 801 F.3d 1060 (2015).

113. *Id.*

114. *See infra* appendix.

115. Maria Dinzeo, *California Court Construction Costs Towering Above the National Average*, COURTHOUSE NEWS SERV. (Oct. 14, 2011), <https://www.courthousenews.com/california-court-construction-costtower-above-national-average/>.

116. Pruitt et al., *supra* note 7.

with an attorney as a viable financial option but may be willing to show up in court and request a fee reduction—if they know that they can do so. The due process violation inherent to a resident being denied access to such a hearing therefore requires solutions that look beyond courting attorneys to rural areas, and instead necessitates bringing the resources of the court to rural communities.

C. Town Legal Centers

Other proposed solutions address more pro-se friendly approaches to access to justice. One popular concept in the existing literature is the “town legal center.” Although definitions vary, town legal centers are typically public spaces, often in an existing community location like a town library, that centralize a range of legal aid services. Michele Statz, et al., envision town legal centers as a partnership between “legal aid organizations, local communities, and the state bar and represents a public space to be utilized by legal aid, private attorneys, ‘incubator’ attorneys, and even law students.”¹¹⁷ Centralization is a key to the town legal center’s potential. By designating a community location as a hub to access legal services generally, residents are empowered to take the often difficult first step of seeking out services because they know that legal aid is available within their own community.¹¹⁸ Designating a space as where one generally goes when one has a legal issue empowers people to try at addressing that issue, rather than leaving it unaddressed due to lack of access to services. Residents with a traffic ticket they cannot afford to pay might leave it be and suffer the steep cascading consequences of an unpaid fine because there simply is not a courthouse or legal aid office accessible. But that same resident, knowing that a town legal center is only a manageable five miles away, for instance, might seek out guidance on how to handle the ticket. In this way, town legal centers mimic courthouses. Unsure of how they will pay a fine, residents near a courthouse could be empowered to appear at a hearing and request a fee reduction, or even just go to the courthouse to ask questions about their situation and options. Town legal centers fill some of the gaps that exists when residents are separated from their courthouse by long distances.

One of the greatest strengths of the town legal center model is its utilization of existing community libraries. Even very remote communities often feature a library, including many of the communities studied in this article.¹¹⁹ By placing a town legal center in a library, some of the access problems posed by pure distance might be assuaged.¹²⁰ Of course, this would not necessarily resolve issues like

117. Michele Statz et al., “*They Had Access, but They Didn’t Get Justice*”: *Why Prevailing Access to Justice Initiatives Fail Rural Americans*, 28 GEO. J. ON POVERTY L. & POL’Y 321 (2021).

118. *Id.*

119. See, e.g., *Library*, CITY OF TULELAKE, <https://cityoftulelake.com/library/> (last accessed Nov. 17, 2024); *Ione Branch Library*, PEND ORIELLE CNTY. LIBR. DIST., <https://pocld.org/ione-branch-library/> (last accessed Nov. 17, 2024); *Klamath County Library*, CHEMULT BRANCH, <https://klamathlibrary.org/branch/chemult-branch> (last accessed Nov. 17, 2024); *Metalines Community Library*, PEND ORIELLE CNTY. LIBR. DIST., <https://pocld.org/metalines-community-library/>, (last accessed Nov. 17, 2024); *Library*, INYO CNTY., <https://www.inyocounty.us/services/library>, (last accessed Nov. 17, 2024).

120. Statz et al., *supra* note 117, at 346.

failure to appear, which are closely tied to presence in a physical courtroom. But in light of the court system's ever-increasing reliance upon online systems, a town legal center could at least make progress towards resolving fee related issues in some jurisdictions. Because rural residents disproportionately lack access to the internet, options to request a fee reduction through online portals and forms are not feasible for many.¹²¹ In such a scenario, a town legal center could have the powerful combined capability to both provide an internet connection, and provide the expertise to make residents aware of fee reduction and other resources that might be available remotely, thereby eliminating the prohibitive requirement of traveling an hour or more to a courthouse.

In fact, some scholars conceive of town legal centers as fully virtual hubs placed within existing spaces, most prominently libraries. Bryan L. Lynch has proposed town legal centers that “rely on existing structures in local communities and use video conferencing and virtual office technologies to serve clients.”¹²² Building a legal aid office in every remote community might not be possible—but connecting every low-income rural resident with legal aid services could be feasible by leaning into solutions that draw upon the strengths of small rural communities. Statz et al. write that “town legal centers might be viewed as a physical manifestation of a socio-spatial connectivity that often already exists in rural spaces.”¹²³ The small, interconnected nature of many rural communities is fertile ground for access to justice initiatives to reach target populations. If a library already serves as a community hub in a rural area, then instituting a town legal center in that space will benefit from the library's existing prominence in the community. Community members can more readily get the word out to those in need of services, because of the interconnectedness of social bonds in smaller towns, and the prominence of those public resources that already exist. Rather than force rural residents to travel outside of their communities to seek legal services, town legal centers draw on the strengths of rural communities to bring services to people who need them.

Virtual town legal centers have the powerful potential to bring in assistance from anywhere in the state, and to connect residents with self-help options otherwise denied to them by virtue of internet barriers or geographical distance. For this reason, virtual town legal centers have the potential to address not only the rural court shortage, but also the rural attorney shortage by connecting rural residents with lawyers who are not physically present within the community. Given their centralization of resources within existing community hubs already utilized by individuals in isolated areas, town legal centers can go far toward transforming the legal access environment into something more universally effective and available for rural residents.

121. Barringer, *supra* note 40.

122. Brian L. Lynch, *Access to Legal Services in Rural Areas of the Northern Rockies: A Recommendation for Town Legal Centers*, 90 IND. L.J. 1683, 1688 (2015).

123. Statz et al., *supra* note 117, at 369.

D. Direct Delivery of Court Services

In the vein of bringing resources into a community rather than forcing people to travel outside of their community, some California counties have developed creative strategies for bringing court services into areas that lack a physical courthouse. For instance, in Siskiyou, a county with only one superior courthouse, self-help services rotate between the towns of Fort Jones, Happy Camp, Mt. Shasta, and Tulelake.¹²⁴ Happy Camp and Tulelake are both well over an hour from the courthouse, so bringing self-help services directly to these communities could be pivotal for residents who would otherwise be barred from such services by travel costs.¹²⁵ Moreover, a satellite or rotating self-help center could help to alleviate the traffic ticket cost reduction hypothetical discussed in an earlier section by providing physical access to the necessary forms, thereby enabling a resident to complete the form and send it back to the main courthouse without the need for a printer or internet access. The same principle could apply to other simple filings. Moreover, even a small delegation of staff or volunteers sent to explain basic matters that residents can handle pro-se would be a powerful resource for residents otherwise isolated from the resources of the courthouse. The California Commission on Access to Justice notes that “[t]here are now 110 court-based Self-Help Centers in California, covering each of California’s 58 counties, and many of those centers are located in rural areas.”¹²⁶ Generally, however, “these centers are located in or near courthouses.”¹²⁷ One clear course of action West Coast states should take in light of this information is to expand self-help centers to rural areas isolated from their courthouses.

E. Cross-County Collaboration

Some West Coast rural counties are developing collaborative approaches to alleviating travel related issues for rural residents. Nevada, a larger California county, shares staff with Alpine so that the smaller county can access a family law facilitator, child custody mediator, and Alternative Dispute Resolution program.¹²⁸ Other counties have likewise begun collaborating in order to allow rural residents who live nearer to a courthouse in a neighboring county to use the closer court facilities across county lines.¹²⁹ Collaboration across counties may therefore be another solution for residents who live hours away from their own county courthouse, or whose counties lack adequate staff. Of all the proposed solutions, however, this seems the most like an insufficient “band-aid.” Rather than force small, rural counties to rely on their neighbors for legal services, states should see

124. *Find Your Court (Siskiyou)*, CALIFORNIA CT., <https://www.courts.ca.gov/find-my-court.htm?query=Siskiyou> (last accessed Nov. 1, 2023).

125. *Supra* page 10.

126. THE COMMISSION, *supra* note 3, at 12.

127. *Id.*

128. *Id.* at 41.

129. *Id.*

it as constitutionally imperative that every county have its own, sufficient judicial resources.

F. Existing Community Hubs

Another more robust solution currently employed by Mendocino County is the use of unconventional facilities like Veterans of Foreign Wars (VFW) Halls to bring in-person hearings to rural residents. Mendocino County holds small claims and traffic hearings three times a year at the VFW hall in Point Arena.¹³⁰ Utilizing the VFW shares many of the benefits of using a library as the location for a town legal center. Point Arena is approximately one hour away from the nearest courthouse.¹³¹ By expanding hearings to a location within an otherwise isolated community, the court affords residents an opportunity to have their matters heard without disruptive travel time. Moreover, bringing hearings to extant community buildings enables poorer counties to prioritize rural residents, without expending funds to construct new facilities. Like the town legal center model, utilizing existing community hubs like a VFW hall draws upon a community's existing resources and strengths. In addition to libraries and VFW locations, grange halls and community centers could be well-suited to hosting town legal centers.

G. Online Options

In regard to traffic violations specifically, offering fee reduction options online is an important part of increasing rural access to justice. Enabling individuals to request fee reduction virtually eliminates the need to travel long distances to request a reduction at an in-person hearing. Given that many rural residents do not have access to the internet, this solution would need to work in tandem with some of the other proposed measures. For instance, pairing an online fee reduction option with the implementation of town legal centers could generate an effective solution to the disproportionate impact of traffic fines on low-income rural residents. A town legal center would provide internet access, as well as guidance from staff or volunteers on how to go about accessing a court's online resources, including fee reduction tools. The combination of a town legal center and online fee reduction options would go far towards ameliorating the unconstitutional burden of traffic fees for low-income rural residents without access to the internet or a court. In general, resolving the rural access to justice crisis will involve multiple reforms responsive to the diverse needs of rural communities. Across all communities, however, the same constitutional imperatives remain: ensuring every individual's due process right to a fair hearing, regardless of where they live.

130. *Find Your Court (Mendocino)*, CALIFORNIA CT., <https://www.courts.ca.gov/find-my-court.htm?query=Mendocino> (last visited Nov. 1, 2023).

131. *Point Arena to Fort Bragg*, GOOGLE MAPS, <https://goo.gl/maps/VHUwLCxCPCPktLTV6> (last visited Nov. 1, 2023).

VII. CONCLUSION

People of all socioeconomic statuses, and of all regions, urban and rural, are likely to receive low-level infractions or citations at some point in their lives.¹³² But for low-income rural residents, the confluence of geographic isolation and economic status can result in even the most routine fines cascading into debt, increased contact with the justice system, and eventual incarceration. Lack of access to courts, and by extension fee reduction, amounts to nothing less than an access to justice crisis on the rural West Coast. Although geographic isolation from court resources impacts small communities, the overall effect is far from small, as it exacerbates rural poverty and further marginalizes low-income people. When the foremost reason for jail bookings in many rural counties is as a penalty for violations of technical rules set by the criminal legal system, that legal system is failing its rural communities.¹³³ But barriers to justice can be addressed and surmounted. Implementing initiatives that draw on the strengths of rural communities, like developing town legal centers in existing community hubs, has the potential to connect people with the necessary resources to disrupt the cascading impacts of legal fees and technical rule violations. At present, lack of access to justice in rural areas is a constitutionally violative, poverty generating crisis. But, through creative routes like ADA litigation, measures can be taken to force change. Geography should not determine any person's legal destiny.

132. Daniel Robinson, *Traffic Ticket Statistics 2024*, MKT. WATCH GUIDES (Oct 3, 2024), <https://www.marketwatch.com/guides/insurance-services/traffic-ticket-statistics/>.

133. Peirce et al., *supra* note 26.

APPENDIX

State	County	Community	Drive Time (hours)	Distance	Population
CA	Fresno	Big Creek to Fresno	1 hour 27 minutes	62.4 miles ¹³⁴	151 ¹³⁵
CA	Humboldt	Whitethorn to Eureka	1 hour 34 minutes	81.7 miles ¹³⁶	1,598 ¹³⁷
CA	Humboldt	Orleans to Eureka	1 hour 45 minutes	84.7 miles ¹³⁸	600 ¹³⁹
CA	Inyo	Tecopa to Independence	3 hours 19 minutes	188 miles ¹⁴⁰	120 ¹⁴¹
CA	Lassen	Bieber to Susanville	1 hour 25 minutes	74.2 miles ¹⁴²	145 ¹⁴³
CA	Madera	Ahwahnee to Madera	53 minutes	47.3 miles ¹⁴⁴	2,296 ¹⁴⁵
CA	Mendocino	Covelo to Ukiah	1 hour 21 minutes	64.5 miles ¹⁴⁶	1,394 ¹⁴⁷

134. *Big Creek to Fresno*, GOOGLE MAPS, <https://goo.gl/maps/se97ja6gANzqxy217> (last visited Oct. 10).

135. *Big Creek CDP*, U.S. CENSUS, <https://data.census.gov/profile?g=1600000US0606518> (last visited Oct. 10, 2023).

136. *Whitethorn to Eureka*, GOOGLE MAPS, <https://goo.gl/maps/14RZRh1J1KLKJrcf8> (last visited Oct. 10, 2023).

137. *Real Estate in White Thorn, CA*, REAL LIVING, <https://www.realliving.com/CA/Whitethorn> (last visited Oct. 10, 2023). Note: This unincorporated community does not have reported census data.

138. *Orleans to Eureka*, GOOGLE MAPS, <https://goo.gl/maps/wpaKHnkjh8Z6DUzdA> (last visited Oct. 10, 2023).

139. *Orleans*, HUMBOLDT CNTY., <https://humboldtgov.org/735/Orleans> (last visited Oct. 10, 2023). Note: This unincorporated community does not have reported census data.

140. *Tecopa to Independence*, GOOGLE MAPS, <https://goo.gl/maps/D9XRTHiUg2yss5zk6> (last visited Oct. 10, 2023).

141. *Tecopa CDP*, U.S. CENSUS, <https://data.census.gov/profile?g=1600000US0678050> (last visited Oct. 10, 2023).

142. *Bieber to Susanville*, GOOGLE MAPS, <https://goo.gl/maps/EWxUKH7HBjJjewnF8> (last visited Oct. 10, 2023).

143. *Bieber CDP*, U.S. CENSUS, <https://data.census.gov/profile?g=1600000US0606336> (last visited Oct. 10, 2023).

144. *Ahwahnee to Madera*, GOOGLE MAPS, <https://goo.gl/maps/jjHudf8ve1xB2UrL9> (last visited Oct. 10, 2023).

145. *Ahwahnee CDP*, U.S. CENSUS, <https://data.census.gov/profile?g=1600000US0600478> (last visited Oct. 10, 2023).

146. *Covelo to Ukiah*, GOOGLE MAPS, <https://goo.gl/maps/W1VnaZW2G8XzghJu8> (last visited Oct. 10, 2023).

147. *Covelo CDP*, U.S. CENSUS, <https://data.census.gov/profile?g=1600000US0616728> (last visited Oct. 10, 2023).

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State	County	Community	Drive Time (hours)	Distance	Population
CA	Modoc	Newell to Alturas	1 hours 10 minutes	64.7 miles ¹⁴⁸	301 ¹⁴⁹
CA	Mono	Chalfant to Mammoth Lakes	59 minutes	54.5 miles ¹⁵⁰	660 ¹⁵¹
CA	Plumas	La Porte to Quincy	2 hours 53 minutes	125 miles ¹⁵²	60 ¹⁵³
CA	Plumas	Little Grass Valley to Quincy	3 hours 30 minutes	132 miles ¹⁵⁴	25 ¹⁵⁵
CA	Shasta	Fall River Mills to Redding	1 hours 20 minutes	70.4 miles ¹⁵⁶	616 ¹⁵⁷
CA	Siskiyou	Tulelake to Yreka	1 hours 44 minutes	93.8 miles ¹⁵⁸	902 ¹⁵⁹
CA	Siskiyou	Happy Camp to Yreka	1 hour 28 minutes	70.8 miles ¹⁶⁰	905 ¹⁶¹

148. *Newell to Alturas*, GOOGLE MAPS, <https://goo.gl/maps/3iQQAv7aGw9TbAfx8> (last visited Oct. 10, 2023).

149. *Newell CDP*, U.S. CENSUS, <https://data.census.gov/profile?g=1600000US0651042> (last visited Oct. 10, 2023).

150. *Chalfant to Mammoth Lakes*, GOOGLE MAPS, <https://goo.gl/maps/178caVdqQBxMtBbL8> (last visited Oct. 10, 2023).

151. *Chalfant CDP*, U.S. CENSUS, <https://data.census.gov/profile?g=1600000US0612594> (last visited Oct. 10, 2023).

152. *La Porte to Quincy*, GOOGLE MAPS, <https://goo.gl/maps/5TRQ26QGAYy82vRF9> (last visited Oct. 10, 2023).

153. *La Porte CDP*, U.S. CENSUS, <https://data.census.gov/profile?g=1600000US0640312> (last visited Oct. 10, 2023).

154. *Little Grass Valley to Quincy*, GOOGLE MAPS, <https://goo.gl/maps/aGQfr1dv8RC6Kf7z8> (last visited Oct. 10, 2023).

155. *Little Grass Valley CDP*, U.S. CENSUS, <https://data.census.gov/profile?g=1600000US0641789> (last visited Oct. 10, 2023).

156. *Fall River Mills to Redding*, GOOGLE MAPS, <https://goo.gl/maps/FzCBnAYnLrzfLU8S7> (last visited Oct. 10, 2023).

157. *Fall River Mills CDP*, U.S. CENSUS, <https://data.census.gov/profile?g=1600000US0623532> (last visited Oct. 10, 2023).

158. *Tulelake to Yreka*, GOOGLE MAPS, <https://goo.gl/maps/Zj438znPkW24yiYM8> (last visited Oct. 10, 2023).

159. *Tulelake CDP*, U.S. CENSUS, <https://data.census.gov/profile?g=1600000US0680686> (last visited Oct. 10, 2023).

160. *Happy Camp to Yreka*, GOOGLE MAPS, <https://goo.gl/maps/xLGVSTNysS2hkPA6A> (last visited Oct. 10, 2023).

161. *Happy Camp CDP*, U.S. CENSUS, <https://data.census.gov/profile?g=1600000US0632030> (last visited Oct. 10, 2023).

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State	County	Community	Drive Time (hours)	Distance	Population
CA	Trinity	Ruth to Weaverville	2 hours 5 minutes	83.2 miles ¹⁶²	254 ¹⁶³
CA	Trinity	Mad River to Weaverville	1 hour 28 minutes	65.8 miles ¹⁶⁴	361 ¹⁶⁵
OR	Harney	Diamond to Burns	57 minutes	54.8 miles ¹⁶⁶	654 ¹⁶⁷
OR	Klamath	Chemult to Klamath Falls	1 hour 10 minutes	71.8 miles ¹⁶⁸	79 ¹⁶⁹
OR	Klamath	Beaver Marsh to Klamath Falls	1 hour 5 minutes	66.1 miles ¹⁷⁰	52 ¹⁷¹
OR	Wallowa	Imnaha to Enterprise	53 minutes	35.8 miles ¹⁷²	291 ¹⁷³
WA	Cowlitz	Cougar to Kelso	54 minutes	46.8 miles ¹⁷⁴	118 ¹⁷⁵

162. *Ruth to Weaverville*, U.S. CENSUS, <https://goo.gl/maps/43iDPPMPNUk7JWs99> (last visited Oct. 10, 2023).

163. *Ruth CDP*, U.S. CENSUS, <https://data.census.gov/profile?g=1600000US0663386> (last visited Oct. 10, 2023).

164. *Mad River to Weaverville*, GOOGLE MAPS, <https://goo.gl/maps/GXQuJmeFJqVvCTG59> (last visited Oct. 10, 2023).

165. *Mad River CDP*, U.S. CENSUS, <https://data.census.gov/profile?g=1600000US0645092> (last visited Oct. 10, 2023).

166. *Diamond to Burns*, <https://maps.app.goo.gl/aEuk3ZJxcFuCSWkCA> (last visited Oct. 10, 2023).

167. *Diamond CCD*, U.S. CENSUS, https://data.census.gov/profile/Diamond_CCD,_Harney_County,_Oregon?g=060XX00US4102590901 (last visited Oct. 10, 2023).

168. *Chemult to Klamath Falls*, GOOGLE MAPS, <https://maps.app.goo.gl/8kfw2K8yoMzQCykf9> (last visited Oct. 10, 2023).

169. *Chemult CDP*, U.S. CENSUS, <https://data.census.gov/all?q=Chemult+CDP,+Oregon> (last visited Oct. 10, 2023).

170. *Beaver Marsh to Klamath Falls*, GOOGLE MAPS, <https://maps.app.goo.gl/FA4K49Aurk6MyT9X8> (last visited Oct. 11, 2023).

171. *Beaver Marsh CDP*, U.S. CENSUS, https://data.census.gov/profile/Beaver_Marsh_CDP,_Oregon?g=160XX00US4105300 (last visited Oct. 10, 2023).

172. *Imnaha to Enterprise*, GOOGLE MAPS, <https://maps.app.goo.gl/fTEhUypMp8RXcvPc6> (last visited Oct. 11, 2023).

173. *Imnaha CCD*, U.S. CENSUS, <https://data.census.gov/all?q=Imnaha> (last visited Oct. 11, 2023).

174. *Cougar to Kelso*, GOOGLE MAPS, <https://maps.app.goo.gl/csnB4mJ8BoNiUxBG9> (last visited Oct. 11, 2023).

175. *Cougar CDP*, U.S. CENSUS, https://data.census.gov/profile/Cougar_CDP,_Washington?g=160XX00US5315010 (last visited Oct. 11, 2023).

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State	County	Community	Drive Time (hours)	Distance	Population
WA	Klickitat	Bickleton to Goldendale	50 minutes	36.4 miles ¹⁷⁶	92 ¹⁷⁷
WA	Pend Oreille	Metaline Falls to Newport	1 hour 12 minutes	61.1 miles ¹⁷⁸	272 ¹⁷⁹
WA	Pend Oreille	Ione to Newport	58 minutes	50.8 miles ¹⁸⁰	428 ¹⁸¹

Total Population: 12,374

176. *Bickleton to Goldendale*, GOOGLE MAPS, <https://maps.app.goo.gl/vEdEmRxovMKRNcdM8> (last visited Oct. 11, 2023).

177. *Bickleton CDP*, U.S. CENSUS, <https://data.census.gov/all?q=Bickleton> (last visited Oct. 11, 2023).

178. *Metaline Falls to Newport*, GOOGLE MAPS, <https://maps.app.goo.gl/uMHZPLrMe8ZbBAqM7> (last visited Oct. 11, 2023).

179. *Metaline Falls Town*, U.S. CENSUS, <https://data.census.gov/all?q=Metaline+Falls+town,+Washington> (last visited Oct. 10, 2023).

180. *Ione to Newport*, GOOGLE MAPS, <https://maps.app.goo.gl/KTepCYfByRYjun5G8> (last visited Oct. 10, 2023).

181. *Ione Town*, U.S. CENSUS, <https://data.census.gov/all?q=Ione,+WA> (last visited Oct. 11, 2023).