

TIPS: Service Animals

What is a Service Animal? This is an animal which is individually trained to do work or perform tasks for persons with disabilities. Service animals assist people with a broad range of disabilities and may be trained to do a variety of tasks. They may assist individuals who are blind or deaf, may aid persons with mobility limitations by pulling a wheelchair, may alert and protect a person who is having a seizure, may remind an individual to take needed medications, or may calm a person having an anxiety attack, or perform other specific duties. Maryland law does not limit what types of animals can be considered service animals. Federal law recognizes only dogs and, in some circumstances, miniature horses as service animals.

No Request Needed. Public users do not need to make an accommodation request to bring a service animal to a courthouse. Service animals are welcome in all public areas of courthouse facilities.

Service Animals v. Emotional Support Animals. Animals whose sole purpose is for comfort, emotional support or therapy do not qualify as service animals under the ADA because they have not been trained to support a specific job or task.

Maryland Law. State law establishes that “an individual with a disability and a parent of a minor child with a disability using a service animal” have “all the same rights and privileges conferred by law on other individuals.”¹ Public users do not need to make an accommodation request to bring a service dog to a courthouse.

Federal Law. The federal regulations provide that a public entity cannot ask about the nature or extent of the person’s disability. If the answers are not readily apparent, you may ask the following two questions:

1. Is the animal required because of a disability?
2. What work or task has the animal been trained to perform?²

What If the Animal is Out-of-Control? If an animal is out-of-control and the handler is unable to control the animal, the animal and handler can be asked to leave.

Avoid Petting, Touching, Feeding or Distracting Service Animals. Avoid petting or touching a service animal when the animal is working. Do not feed the animal or distract the animal in any way.

Do Not Separate the Person and Animal. Do not separate the person with a disability from their service animal.

If necessary, ask:

1. Is the animal required because of a disability?

2. What work or task has the animal been trained to perform?

If a person arrives with an unconventional service animal, consult with the ADA coordinator or a senior manager.

¹ MD CODE, HUMAN SERVICES, § 7-705.

² 28 C.F.R. § 35.136.