

BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

SEAN LYNN AND
LAURA HAMMETT
CLAIMANTS

V.

NO. 250191

UNIVERSITY OF ARKANSAS
FOR MEDICAL SCIENCES
RESPONDENT

Motion for Reconsideration of Order Issued November 14, 2025

Comes now Claimants, Sean Lynn and Laura Hammett (“Lynn,” “Hammett,” collectively “Claimants”), appearing pro se with claims arising from or related to the identical conduct, and for their motion for reconsideration of the order issued November 14, 2025:

1. Arkansas Claims Commissioners Dee Holcomb, Henry Kinslow, and Paul Morris issued an order to place the claimants' claims in abeyance.
2. The Commissioners further expressed “serious concerns about the legality of Ms. Hammett, as the mother of Mr. Lynn, representing Mr. Lynn before the Commission.”
3. Ms. Hammett has not represented Mr. Lynn in these proceedings, and that implication that Ms. Hammett has committed the criminal act of practicing law without a license should be removed from the order.
4. UAMS stated that Ms. Hammett’s claims and Mr. Lynn’s claims are so intertwined that Ms. Hammett’s claims should be placed in abeyance despite UAMS’s insurance representative denying any coverage for Hammett’s claims exists.

5. It is because of the efficiency of State resources that these intertwined claims were brought in one action.
6. Mr. Lynn is actually much smarter than Ms. Hammett. He suffers from aphasia and hearing loss; therefore, Ms. Hammett provides him with Americans with Disabilities Act accommodations whenever she has time.
7. If Ms. Hammett was willing to practice law without a license, she would have filed the proper paperwork in a court of law to force UAMS to release Mr. Lynn from imprisonment the moment she discovered that his intoxicated behavior was caused by the drugs UAMS forced upon him and not hitting his head when he jumped from the ten foot high rung of a falling ladder.
8. Please revise the order issued on November 14, 2025 to (1) remove any implication that Laura Hammett committed the unauthorized practice of law; and (2) remove any threat that Sean Lynn will be required to proceed without the assistance of a competent communications accommodator.

Brief

INTRODUCTION

Claimants Sean Lynn and Laura Hammett respectfully submit this brief in support of their request to recognize Ms. Hammett as a provider of reasonable accommodations under the Americans with Disabilities Act (ADA) and not as a legal representative of Mr. Lynn. Ms. Hammett, a pro se co-claimant, prepares and drafts their joint filings. Mr. Lynn has aphasia that substantially limits communication. The requested accommodation is narrowly tailored,

preserves the Court’s control over filings and signatures, and ensures equal access to the judicial process.

BACKGROUND

Claimants are co-claimants proceeding pro se in this action pending in the Arkansas Claims Commission. Mr. Lynn has been diagnosed with aphasia, a language disorder that significantly impairs expressive and receptive communication. As a result, he cannot effectively draft written motions or pleadings without assistance. Claimants seek a reasonable accommodation allowing Ms. Hammett to prepare and draft their joint filings for signature and submission, with Mr. Lynn reviewing the content with assistance for language clarification only and indicating assent through signature or other Court-approved method.

ARGUMENT

I. The ADA Applies to Courts and State Agencies and Requires Reasonable Accommodations to Ensure Equal Access

Title II of the ADA prohibits public entities, including state courts, from excluding qualified individuals with disabilities from participation in or denying them the benefits of services, programs, or activities of a public entity, or otherwise subjecting them to discrimination. 42 U.S.C. § 12132. The ADA’s implementing regulations require public entities to make reasonable modifications in policies, practices, or procedures when necessary to avoid discrimination on the basis of disability, unless the entity can demonstrate that the modification would fundamentally alter the nature of the service, program, or activity. 28 C.F.R. § 35.130(b)(7)(i). Courts are “public entities” under Title II. See 42 U.S.C. § 12131(1).

The Department of Justice regulations further require public entities to furnish appropriate auxiliary aids and services where necessary to afford individuals with disabilities an equal opportunity to participate. 28 C.F.R. § 35.160(a). Auxiliary aids and services include methods of making aurally and visually delivered materials available to individuals with hearing or vision impairments and other communication disabilities, and must be provided in “effective” form, considering the individual’s preferred method of communication. 28 C.F.R. § 35.160(b).

In the judicial context, ensuring meaningful access may require modifications to filing practices or acceptance of assistance that enables a litigant with a disability to communicate effectively with the Court. The accommodation sought here—allowing a co-claimant to draft joint filings for review and signature—fits squarely within reasonable modifications to policies and practices to secure equal access.

II. Aphasia Is a Disability Under the ADA and Substantially Limits Communication

The ADA defines “disability” broadly as a physical or mental impairment that substantially limits one or more major life activities. 42 U.S.C. § 12102(1). Major life activities include communicating, speaking, reading, concentrating, and thinking. 42 U.S.C. § 12102(2)(A).

The ADA Amendments Act instructs that “substantially limits” shall be construed broadly in favor of expansive coverage. 42 U.S.C. § 12102(4)(A).

Aphasia is a neurological impairment affecting language processing and production, which can substantially limit speaking, reading, writing, and understanding language—core communication functions. Individuals with aphasia may be fully capable of forming ideas and decisions yet be unable to efficiently convert those thoughts into written legal pleadings

without assistance. Thus, aphasia is a qualifying impairment under the ADA because it substantially limits major life activities of communicating and speaking.

III. Courts Regularly Provide Accommodations to Ensure Equal Access for Litigants with Disabilities, Including Pro Se Parties

Courts have long recognized their obligation under Title II to provide reasonable accommodations to litigants with disabilities to ensure meaningful access to judicial proceedings. Reasonable modifications may include auxiliary aids, modified procedures, or acceptance of assistance that facilitates effective communication. Where a litigant proceeds pro se, courts have permitted accommodations tailored to the individual's impairment so long as they do not fundamentally alter court functions or confer an unfair advantage. Examples include allowing a support person or interpreter, providing extended time, accepting alternative communication formats, or permitting another individual to assist in preparing documents, provided the litigant maintains responsibility for the content and signs the filings. These accommodations align with the ADA's flexible, individualized approach: the public entity must give primary consideration to the individual's requested aid when it would be effective and reasonable. 28 C.F.R. § 35.160(b)(2). The relief sought here—authorization for a co-claimant to draft joint filings for review and signature—mirrors common accommodations that enable communication without altering substantive standards, court neutrality, or opposing parties' rights.

IV. Allowing the Co-Claimant to Draft Joint Filings Is a Reasonable, Necessary, and Narrow Accommodation

- **Necessity:** Because aphasia limits written and oral language production, drafting motions without assistance imposes a barrier to meaningful participation in litigation. Allowing

the co-claimant to prepare joint filings directly addresses the communication barrier and enables effective access.

- Reasonableness: The accommodation is limited to drafting and formatting filings; it does not create a new right, change burdens of proof, or excuse compliance with procedural rules. The Court retains full authority over filings, deadlines, and content. The accommodation mirrors auxiliary aids and procedural modifications routinely allowed under Title II.
- Safeguards: The accommodation can include reasonable safeguards to preserve integrity, such as (a) requiring that [Name of Claimant with Aphasia] review and sign filings (or use a Court-approved alternative signature or affirmation if physical signing is not feasible), (b) including a certification that the content reflects both claimants' positions, and (c) making clear that the drafting assistance does not constitute representation of another party for purposes of unauthorized practice of law, as both litigants are co-parties submitting joint filings.
- No Fundamental Alteration or Undue Burden: Permitting a co-claimant to draft joint filings does not fundamentally alter the judicial function or impose an undue administrative or financial burden. It simply recognizes an adjusted method of communication between a pro se litigant with aphasia and the Court.

V. Arkansas Law and Court Policies Support Accommodations in Claims Commission Proceedings

The Arkansas Claims Commission, as a state entity, is subject to Title II of the ADA and its reasonable accommodation requirements. Arkansas court administration and local court policies provide for disability accommodations to ensure equal access to court services and

programs, including auxiliary aids and modifications to procedures upon request through the court's ADA coordinator or clerk. Arkansas rules and practices recognize the Court's inherent authority to control procedure and manage cases to secure the just, speedy, and inexpensive determination of every action, which includes tailoring reasonable accommodations to the needs of litigants with disabilities.

To the extent any Arkansas-specific rule requires requests to be made through designated channels, Claimants will comply by submitting this motion, any necessary forms, and supporting documentation to the Court and the court's ADA coordinator, and will engage in the interactive process to refine the accommodation as needed.

VI. Proposed Parameters of the Accommodation

Claimants propose the following terms:

1.

The Court authorizes Laura Hammett to prepare and draft joint motions, pleadings, and filings reflecting the positions of both claimants.

2.

Sean Lynn will review the filings to the extent feasible and will indicate agreement by signature or other Court-approved method (e.g., typed signature plus certification, or accommodation for alternative signature if physically necessary).

3.

Filings will include a short statement that the drafting was performed by the co-claimant as a reasonable accommodation for aphasia under the ADA.

4.

The accommodation does not authorize the co-claimant to represent any other party; it is limited to joint filings by co-claimants in this case.

5.

The Court may revisit or adjust the accommodation upon a material change in circumstances or upon a showing of abuse or prejudice.

CONCLUSION

Title II of the ADA requires state courts and the Arkansas Claims Commission to provide reasonable accommodations to ensure equal access to judicial services for individuals with disabilities. Aphasia substantially limits communication and, without accommodation, deprives Sean Lynn of meaningful participation in this litigation. Allowing the pro se co-claimant to draft their joint filings is a targeted, reasonable, and necessary accommodation that imposes no undue burden and preserves the integrity of court proceedings. Claimants respectfully request that the Arkansas Claims Commission reconsider the order issued on November 14, 2025, and revise it to grant the proposed accommodation and authorize Laura Hammett to prepare and draft joint filings for review and signature by Sean Lynn, consistent with the parameters described above. The order must not mischaracterize ADA accommodations as the unauthorized and therefore illegal practice of law.

Respectfully submitted,

/s/ Sean Lynn November 14, 2025 (manually signed original available)

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/s/ Laura Hammett November 14, 2025 (manually signed original available)

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CERTIFICATE OF SERVICE

I, Laura Hammett, do hereby certify that a copy of the foregoing Motion for Reconsideration of the Order Issued November 14, 2025 and Brief attached has been served on the respondent herein by sending a copy via email on this 14th day of November, 2025, to:

Sherri L. Robinson Senior Associate General Counsel

University Of Arkansas for Medical Sciences

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/s/ Laura Hammett (manually signed original available)

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