

FIELD OF DREAMS

By Steven John Fellman
Galland, Kharasch, Greenberg, Fellman & Swirsky, P.C.

In the motion picture *Field of Dreams*, Kevin Costner hears voices telling him to build a baseball field on his farm in rural middle America. When he asks who would attend a baseball game in a corn field on a farm, the voices tell him that "If you build it, they will come."

I was reminded of this movie as I took my grandson to a new Washington area theatre over the weekend. As we approached the theatre entrance, I noticed handicap accessible parking with proper signage and a curb cut that allowed wheelchair patrons easy access to the theatre entrance. Two of the entrance doorways were marked with wheelchair accessible signage and were equipped with automatic door openers. Walking in to the theatre, we saw several automated ticket machines, one of which was lowered to meet the needs of disabled patrons. There were multiple box office stations. One of the stations had a lowered counter for easy access. I let my grandson use this counter and he proudly bought the tickets.

As we approached the concession stand, my grandson did not see any item that he did not want. We went to the portion of the counter that was lowered and he easily was able to communicate with the theatre staff. Having purchased our concession items, we moved toward the auditorium but like any 6 year old, a stop at the restroom was required. The lowered urinal was perfect for him.

As we walked past the Guest Services Desk on our way to the auditorium, we noticed that there was signage indicating that assistive listening devices were available. On the back wall behind the Guest Services Desk, a number of headsets were hanging on hooks. The Guest Services staff told me that these headsets were very rarely used. When we walked into the auditorium, my grandson asked me why there were empty spaces in the middle of the theatre. I told him that there were wheelchair spaces and that the covered seats next to the wheelchair spaces were reserved for companions of wheelchair patrons. We decided to sit in the row directly behind the wheelchair spaces. The theatre filled quickly. I noticed that none of the wheelchair spaces were occupied.

About two-thirds of the way through the movie, my grandson decided that he needed to go home and we walked out of the auditorium. On the way out of the theatre, I took a quick look into three other auditoriums and none of the wheelchair spaces were occupied. I asked the Guest Services staff whether any assistive listening devices had been used that afternoon, and I was told that none had been used.

During the past several years, there has been much written about the accessibility of motion picture theatres. Disability rights groups have claimed that theatres are not accessible and because they are not accessible, disabled patrons do not

go to the movies. I have talked to many exhibitors who have built and are continuing to build, fully accessible theatres. These theatres offer state of the art facilities for disabled patrons. However, the theatre operators uniformly report that these

facilities are very rarely used, except perhaps by six year old children.

We thought that "If you build it, they will come." What happened?