

IN THE CIRCUIT COURT FOR THE TWENTY-THIRD JUDICIAL CIRCUIT

ADMINISTRATIVE ORDER 13-4

IN THE MATTER OF THE ADOPTION OF)
A POLICY ON ACCESS FOR PERSONS)
WITH DISABILITIES IN THE TWENTY-)
THIRD JUDICIAL CIRCUIT.)

FILED
JAN 11 2013
BECKY MORGANEGG
CLERK
CIRCUIT CLERK WENDLE CO.

Effective immediately, the Twenty-Third Judicial Circuit hereby adopts the attached Policy on Access for Persons with Disabilities. The Presiding Judge of each county shall take all required action to enact the provisions of said policy.

Entered: January 11, 2013



Timothy J. McCann, Chief Judge

**STATE OF ILLINOIS
TWENTY-THIRD JUDICIAL CIRCUIT
POLICY ON ACCESS FOR PERSONS WITH DISABILITIES**

I. Introduction

The Americans with Disabilities Act (ADA), a federal civil rights statute for individuals with disabilities, requires all state and local governmental entities, including the courts, to accommodate the needs of individuals with disabilities to ensure equal access to court activities, programs and services (programs). The Twenty-Third Judicial Circuit of Illinois (Circuit Court) has adopted the following policy and procedures to ensure reasonable accommodations, auxiliary aids, and services to persons with disabilities who wish to participate in Circuit Court programs.

II. Policy

It is the policy of the Circuit Court to ensure that communications with and accommodations for individuals with disabilities and without disabilities are equally effective, consistent with the requirements of Title II of the ADA. Whenever necessary, the Circuit Court will provide, free of charge, the appropriate auxiliary aids and services to ensure that individuals with disabilities have an equal opportunity to participate in and benefit from any Circuit Court program. This policy applies to all members of the public who seek to participate in the Circuit Court's programs.

III. Services and Accommodations

Auxiliary aids and services include a wide range of services and devices that promote effective communication with persons with disabilities. Examples of auxiliary aids and services for individuals with disabilities include qualified sign language interpreters, assistive listening devices, and real-time transcription services. The Circuit Court may also provide any other reasonable accommodation necessary to permit a person with impairments or disabilities to fully and equally participate in or to observe Circuit Court programs.

IV. Notice that Accommodations are Available

The Court Disability Coordinator (CDC) shall provide notice that appropriate accommodations are available to ensure that individuals with disabilities have an equal opportunity to participate in Circuit Court programs by posting a notice containing the information on the form attached as Exhibit A, at the entrance to each courthouse, in each Circuit Clerk's office, and on the Twenty-Third Judicial Circuit website. A list of the Circuit Court Disability Coordinators for each county of the Twenty-Third circuit is attached as Exhibit D.

V. Request for Accommodations

The CDC shall provide a request form to individuals who wish to request services or accommodations for persons with disabilities. The request form, attached as Exhibit B, shall be available in the office of each Circuit Clerk, the office of each CDC, and on the Twenty-Third Judicial Circuit website.

Whenever possible, a request for accommodation or services shall be made fourteen (14) days in advance of the proceeding or program. The request shall be as specific as possible and include a description of the accommodation sought and the date the accommodation is needed. The request shall be mailed to the Court Disability Coordinator for the county wherein the request is being made. The CDC shall respond in writing, and, where appropriate, in a format accessible to the requestor, within seven (7) days from the date the request was received.

The CDC will give "primary consideration" to the request of individuals with disabilities. "Primary consideration" means that the Circuit Court will honor the choice of the individual, unless it demonstrates that another equally effective accommodation is available, or that the requested accommodation would result in a fundamental alteration of Circuit Court activities or undue financial and administrative burdens.

VI. Grievance Procedure

Individuals have the right to file a grievance when they believe the Circuit Court and its employees have not complied with the provisions of this policy or the request for accommodations procedure. The grievance shall be filed within seven (7) days after the person filing the complaint becomes aware of the action or inaction. A complaint shall be in writing, using the Circuit Court's grievance form, attached as Exhibit C. The grievance shall contain the name and address of the person filing the complaint, and briefly describe the alleged violation. The complaint may be mailed or e-mailed to the attention of the CDC.

Within seven (7) days after receipt of a grievance, if the CDC or designee determines such a meeting would be helpful to a resolution, the CDC or a designee may meet with the grievant, either in person or by telephone, to discuss the complaint and possible resolution of the grievance. Within seven (7) days after the meeting, or within fourteen (14) days after receipt of the complaint if there is no meeting, the CDC shall respond in writing, and, where appropriate, in a format accessible to the grievant.

If the response by the CDC does not resolve the issue to the satisfaction of the grievant, the grievant may, within seven (7) days of the date of the CDC's written response, appeal the decision to the Chief Judge of the Twenty-Third Judicial Circuit, at the mail or e-mail address provided on Exhibit D. Any appeal shall be in writing. Within fourteen (14) days after receipt of the appeal, the Chief Judge will respond in writing to the grievant with a final resolution of the grievance or complaint.

This policy will become effective upon adoption of an Administrative Order incorporating this policy.

STATE OF ILLINOIS
TWENTY-THIRD JUDICIAL CIRCUIT
NOTICE OF ACCOMODATION AVAILABILITY

NEED ACCOMODATION FOR A DISABILITY?

Hearing, Visual and other assistance may be arranged.
Contact the Court Disability Coordinator at (telephone number) or (email address)

It is the policy of the Twenty-Third Judicial Circuit of Illinois that:

- Communications with individuals with disabilities are as effective as communications with individuals without disabilities;
- Individuals with disabilities have an equal opportunity to participate in and benefit from all Circuit Court activities.

If you require accommodations, auxiliary aids, or other services in order to participate in Circuit Court activities, please make your request to the Court Disability Coordinator.

Requests shall be made in writing on forms provided by the Court.

Copies of the following documents are available upon request in the Circuit Clerk's office and on the Twenty-Third Judicial Circuit website: www.23rdjudicialcircuit.org

- Policy on Access for Persons with Disabilities
- Request for Accommodations Form
- Grievance Form

EXHIBIT A

STATE OF ILLINOIS
TWENTY-THIRD JUDICIAL CIRCUIT - _____ COUNTY

Request for Accommodation Under the Americans with Disabilities Act
(REQUEST TO REMAIN CONFIDENTIAL)

Date: _____

Please print:

Name of person requesting accommodation: _____

Address: _____

Daytime phone number: _____

E-mail: _____

Type of accommodation requested (please be specific): _____

Date accommodation is needed: _____

Location where accommodation is needed: _____

Please send a copy of the completed form by mail to:

Court Disability Coordinator

Or by e-mail to: _____

Please sign to verify the foregoing information: _____

Please print name: _____

Office Use Only:

Accommodation: _____ granted: _____ denied: _____

Requestor notified on: _____ via: _____

Type of Accommodation: _____

Comments: _____

EXHIBIT B

STATE OF ILLINOIS
TWENTY-THIRD JUDICIAL CIRCUIT - _____ COUNTY

American with Disabilities
Grievance Form

Date: _____

Name of grievant: _____

Address: _____

Daytime Phone Number: _____ E-mail: _____

Type of accommodation requested: _____

Description of the alleged violation (please be specific): _____

Please send a copy of the completed grievance form to:

Court Disability Coordinator

Or by e-mail to: _____

Signature: _____

Print Name: _____

Date: _____

COURT DISABILITY COORDINATORS

Kendall County

Nicole Swiss
Court Administrator
807 W. John St.
Yorkville, IL 60560
(630) 553-4208
nswiss@co.kendall.il.us

DeKalb County

Leanne Vesta
Court Administrator
133 W. State St.
Sycamore, IL 60178
(815) 895-7160
LVesta@DeKalbcounty.org

CHIEF JUDGE OF THE TWENTY-THIRD JUDICIAL CIRCUIT

Timothy J. McCann
Chief Judge
23rd Judicial Circuit
807 W. John St.
Yorkville, IL 60560
(630) 553-4208

EXHIBIT D