

STATE OF ILLINOIS
TWENTY SECOND JUDICIAL CIRCUIT OF MCHENRY COUNTY
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 proceedings, activities, programs and services; hereafter referred to as "programs". The Twenty Second Judicial Circuit of McHenry County, Illinois; hereafter referred to as "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 Court programs.

II. Policy

It is the policy of the Twenty Second Judicial Circuit to ensure that communications with and accommodations for individuals with disabilities and without disabilities are equally effective, consistent within the requirements of Title II of the ADA. Whenever necessary, the 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 Court program. This policy applies to all members of the public who seek to participate in any of the programs of the Court.

III. Services and Accommodations

Auxiliary aids and services include a wide range of services and devices which promote effective communication with persons who have a disability. Examples of auxiliary aids and services for individuals with disabilities include qualified sign language interpreters, assistive listening devices, and real-time transcription services. The 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 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 Court programs by posting notice containing the information on the form attached as Exhibit A in the Court Administration Office of the Twenty Second Circuit and on the Court's website. The Trial Court Administration of the Twenty Second Judicial Circuit, or his/her designee, shall serve as the CDC.

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 located in the Court Administration Office of the Twenty Second Circuit and on the Court's 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. The CDC shall respond in writing and 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 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 Court's activities or undue financial and administrative burdens.

VI. Grievance Procedure

Individuals have the right to file a grievance when they believe the Court and/or 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 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, the CDC or a designee may meet with the grievant, either in person or by telephone, to discuss the complaint and possible resolutions, if the CDC or designee determines such a meeting would be helpful to a determination. 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 Second Judicial Circuit, c/o Court Disability Coordinator, at the mail or e-mail address provided on Exhibit C. 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.

Effective: January 30, 2013