

**The Connecticut Judicial Branch  
Advisory Board on the  
Americans with Disabilities Act**



**Report to Chief Justice Chase T. Rogers**

**July 2014**

**Chief Court Administrator**

**Judge Patrick L. Carroll III, Chair**

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**[ADA.Program@Jud.Ct.Gov](mailto:ADA.Program@Jud.Ct.Gov)**

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STATE OF CONNECTICUT  
JUDICIAL BRANCH

CHAMBERS OF  
PATRICK L. CARROLL III  
CHIEF COURT ADMINISTRATOR

231 CAPITOL AVENUE  
HARTFORD, CT 06106

July 10, 2014

The Honorable Chase T. Rogers  
Supreme Court  
231 Capitol Avenue  
Hartford, Connecticut 06106

Dear Chief Justice Rogers:

As Chairman of the Advisory Board on the Americans with Disabilities Act, I am pleased to present for your consideration the Advisory Board's 2014 report, which includes sixteen new recommendations to increase access to justice for people of all abilities.

This report also includes updates on the twelve recommendations made in the 2013 Advisory Board report. I am pleased to note that each of those dozen suggestions has been either fully implemented or activities that support the recommendations are ongoing. The latter includes a substantial increase in the number of training opportunities on the Act that are now available to Judicial Branch staff. Additionally, the report highlights improvements made in communicating information about access to our court system through improved signage, and the adoption by the Judicial Branch of a Website Accessibility Policy that ensures our website is in line with federal electronic accessibility standards.

The Advisory Board would like to thank the Judges and Executive Directors of the Judicial Branch's five divisions for their cooperation in the implementation of its report recommendations. Many members of the Bench have also shown their support by attending information sessions on the Act and the resources available to the public. Further, the Branch's internal Web Board is to be commended for their willingness to adopt the strict federal standards for web accessibility, and for their assistance on developing a new Disability Resources page.

As you know, the Advisory Board is made up of each of the ADA Division Coordinators, representatives from the Supreme and Appellate Courts, Judge Support Services, and ADA Contacts. Recently, a representative from Judicial Marshal Services was added to the Board's ranks, as we try to ensure that access is uniform throughout the Branch.

The following pages detail accomplishments in meeting the Board's charge of ensuring the Judicial Branch's ongoing compliance with the Americans with Disabilities Act. The Board will continue to offer guidance and hands-on support in the coming year.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Patrick L. Carroll III".

Hon. Patrick L. Carroll III

PLC:sw

# **2014 Members of The Advisory Board on the Americans with Disabilities Act**

**The Hon. Patrick L. Carroll III,  
Chief Court Administrator, Chair**

**Attorney Mark Ciarciello, Administrative Services Division**

**Attorney Eileen Condon, ADA Contact**

**Ms. Christine Elkins, ADA Contact**

**Mr. Charles Epstein, Judicial Marshal Services**

**Ms. Sandra Lugo-Gines, Superior Court Operations Division**

**Attorney Deirdre McPadden, Judge Support Services**

**Attorney Stephen N. Ment, External Affairs Division**

**Attorney Pamela Meotti, Supreme & Appellate Court**

**Ms. Mary Sitaro, Information Technology Division**

**Attorney Thomas Smith, Supreme & Appellate Court**

**Attorney Cynthia Theran, Court Support Services Division**

**Legal Advisors to the Advisory Board:**

**Attorney Maureen Finn & Attorney Viviana Livesay**

**Legal Services Unit**

**Support Staff to the Board:**

**Ms. Heather Nann Collins**

**Superior Court Operations**

## **Advisory Board on the Americans with Disabilities Act 2014 Annual Report July 2014**

In July 2013, Chief Court Administrator Judge Patrick L. Carroll III and the Advisory Board on the Americans with Disabilities Act submitted to Chief Justice Chase T. Rogers its first Annual Report. Contained within that report was a background on the recent history of the Judicial Branch's commitment to sustaining its compliance with the Americans with Disabilities Act (ADA, or the Act), the 1990 civil rights legislation ensuring that people with disabilities have equal access in American society.

Providing equal access is, of course, a cornerstone of Judicial Branch operations. In fact, the Branch's first Strategic Plan articulated that commitment in the plan's first Outcome Goal, which states: **The Judicial Branch will provide equal access to all of its facilities, processes and information through the identification and elimination of barriers.**

This report will provide updates on the dozen recommendations made in the Advisory Board's 2013 report, and offer sixteen new recommendations to support the Access Outcome Goal.

The Branch's stated Mission is to **"serve the interests of justice and the public by resolving matters brought before it in a fair, timely, efficient and open manner."** The Advisory Board, under Judge Carroll's leadership and with his support, believes that the continued focus on ensuring equal access to justice for people with disabilities helps to sustain the Branch's mission.

### **Moving Forward**

It is estimated by the [U.S. Census Bureau](#) that Connecticut has about 371,000 residents with disabilities, or nearly 11 percent of the state's population. That number has remained steady over the last decade or so, but without question, Connecticut is also aging. Of the 482,000 people in our state who are over the age of 65, nearly 1 in 3 has a disability, according to the 2013 Census estimates.

In [the 2000 Census](#), the median age of a Connecticut resident was 37.4 years; it climbed to 40 in 2010. While not surprising, given the aging of the so-called Baby Boom generation, these subtle increases will undoubtedly change how services are provided to Americans, including those who use the court system. While certainly not every person over 65 has a disability, the court system needs to plan accordingly, taking into account the coming swell of a population that has historically higher numbers of people with disabilities.

During the last several years, the Judicial Branch has publicized its clear and concise procedures for requesting accommodations under the ADA, and for filing a grievance or complaint when one is denied. The Branch's launch in 2008 of an internet webpage, <http://jud.ct.gov/ADA/default.htm>, grew from requests by participants in [ADA-related focus groups](#) during the strategic planning process to make information easier to access about both processes.

As has been previously reported by [the ADA Advisory Board](#), and is more specifically articulated below, the Judicial Branch, through its Information Technology Division and the internal Web Board, has been pro-active in ensuring that content is kept current on [the ADA webpage](#), the site's resources expanded, and the overall website made user friendly and accessible.

Indeed, technology plays many roles in reducing or eliminating barriers to justice for people with disabilities, whether by being the *terminus a quo* through which information is sought about services or processes, or by the use of technological auxiliary aids like hearing loops or accessibility software.



In ever-greater numbers, people are turning to technology to plan their days. A [January 2014 poll](#) by the Pew Internet Research Project showed that 87 percent of Americans use the Internet. A [2013 report](#) by the same non-profit showed that 63% of adult cellphone owners use their phones to go online, and 34% of cell internet users go online mostly using their phones and not using some other device such as a desktop or laptop computer. An [April 2014 study by Pew](#) found that 6 in 10 adults over the age of 65 use the internet — up six percentage points in just two years. While seniors lag in Internet use compared to younger generations, it is a virtual certainty that gap will close as current users' age.

However, Pew's 2014 report also notes that, *"Many seniors have physical conditions or health issues that make it difficult to use new technologies. Around two in five seniors indicate that they have a "physical or health condition that makes reading difficult or challenging" or a "disability, handicap, or chronic disease that prevents them from fully participating in many common daily activities". This group is significantly less likely than seniors who do not face these physical challenges to go online (49% vs. 66%), to have broadband at home (38% vs. 53%), and to own most major digital devices."*<sup>1</sup>

These are important statistics to keep in mind when developing resources for people with disabilities and the Advisory Board, in its recommendations past and present, is careful to consider the 'bigger picture' when seeking to increase access. The members are also aware that certain changes to access benefit all court users, not only those with disabilities.

The Advisory Board has received support from the IT Division and the Web Board in its quest to ensure our processes are accessible. In the last year, the Judicial Branch, thanks to work and partnership of the Web Board and IT, formally adopted its Accessibility Policy for the website:

### **Connecticut Judicial Branch Website Accessibility Policy**

The State of Connecticut Judicial Branch is committed to making its web site accessible to all including those with disabilities by complying with [Section 508 of the Rehabilitation Act](#)  and the [Web Content Accessibility Guidelines](#)  developed by the World Wide Web Consortium (W3C). We strive to make the site as accessible as possible and keep that goal in mind when developing web pages and adding content.

<sup>1</sup> Susannah Fox, Associate Director, Editorial, Pew Research Center's Internet Project, January 2011: <http://www.pewinternet.org/2011/01/26/what-people-living-with-disability-can-teach-us/> (Last visited June 20, 2014)

We routinely test the web pages using leading online accessibility tools, JAWS screen reader, and the built-in accessibility tools in our development programs. We continually assess the website to improve usability and accessibility. If any file format prevents you from accessing information, please contact us for assistance at [web.requests@jud.ct.gov](mailto:web.requests@jud.ct.gov). Please indicate the nature of the accessibility problem, the preferred format to receive the requested material, the web address of the requested material and your contact information. We welcome comments on how to improve the web site's accessibility for users with disabilities and will consider all suggestions for improvement and make whatever changes are reasonably possible. We appreciate your input.

The Advisory Board believes the articulation and formal adoption of the [Web Accessibility Policy](#) demonstrates the Branch's continuing compliance with the spirit and the letter of the ADA, and by being forward thinking in its strategic planning.

In addition to adopting the Web Policy, much has been accomplished to increase access to justice for people with disabilities through the adoption and implementation of most of the Advisory Board's 12 recommendations.

#### **Original recommendations and their statuses, as of June 2014:**

- 1. Recommendation: Website Compliance:** The Judicial Branch should continue to ensure that all sections of its website are ADA compliant and should establish a Website Accessibility Policy:

**Status:** The Branch website was redesigned with accessibility in mind and the redesigned sections have passed ADA accessibility tests. Further, as noted above, the Branch in late 2013 formalized its [Website Accessibility Policy and published it online](#).

- A.** The Judicial Branch produces informational videos that are posted on the [Judicial Branch's YouTube page](#) and then linked to the Judicial Branch's website. YouTube provides closed captioning for these videos. Unfortunately, the closed captioning available through YouTube is not as accurate as we would like. As a result, the Judicial Branch has contracted with a closed captioning vendor who will provide accurate closed captioning as new videos are produced. This service will be helpful for people who are deaf or hard of hearing, and for others who prefer written communication over spoken communications.

- 2. Recommendation: Online Information:** The Branch should add a resources link, such as that found on the Law Libraries' "Resources" page that provides court users with information on external resources for people with disabilities.

**Status:** The [ADA Resources page](#) was developed and added to the ADA homepage in January 2014. It includes links to outside advocates and others in the areas of [Advocacy and Legal Rights](#); [Assistive Technology](#); and [ADA Services](#). Further, online information has also been expanded in the following ways:

- A.** A [Guide to Understanding the Americans with Disabilities Act](#) (JDP-ES-284), which was created in February 2013 and updated in November 2013;



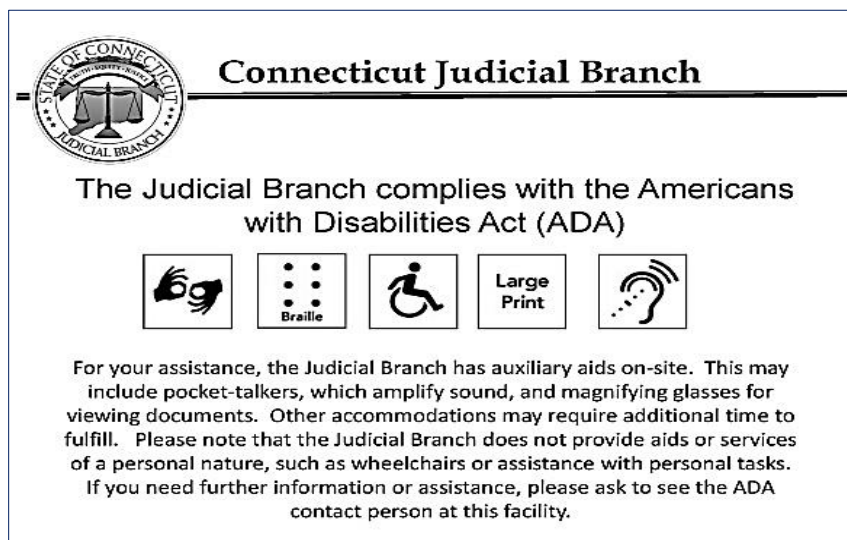
- B. Notice of the adoption by the Judicial Branch of [web accessibility standards](#) provides site users with direct contact information if they are unable to access posted information due to file format problems;
- C. Use of the accessibility evaluation feature of posted documents by Branch staff. Staff who serve as support to various Judicial Branch committees, boards and commissions are encouraged to utilize the Microsoft accessibility check before posting documents or other information.
- D. The Website also hosts a permanent “Comments & Suggestions” box:

The Judicial Branch’s [Advisory Board on the Americans with Disabilities Act](#) was established to support the Judicial Branch’s continued compliance with the Act. The Advisory Board welcomes specific suggestions on how the Branch can continue its compliance with Title II of the Act. **Written suggestions may be emailed to [ada.program@jud.ct.gov](mailto:ada.program@jud.ct.gov).** Please limit suggestions to general observations about programs or processes. Suggestions relating to specific cases will not be considered. Submissions are subject to the Judicial Branch’s [Privacy Policy](#).

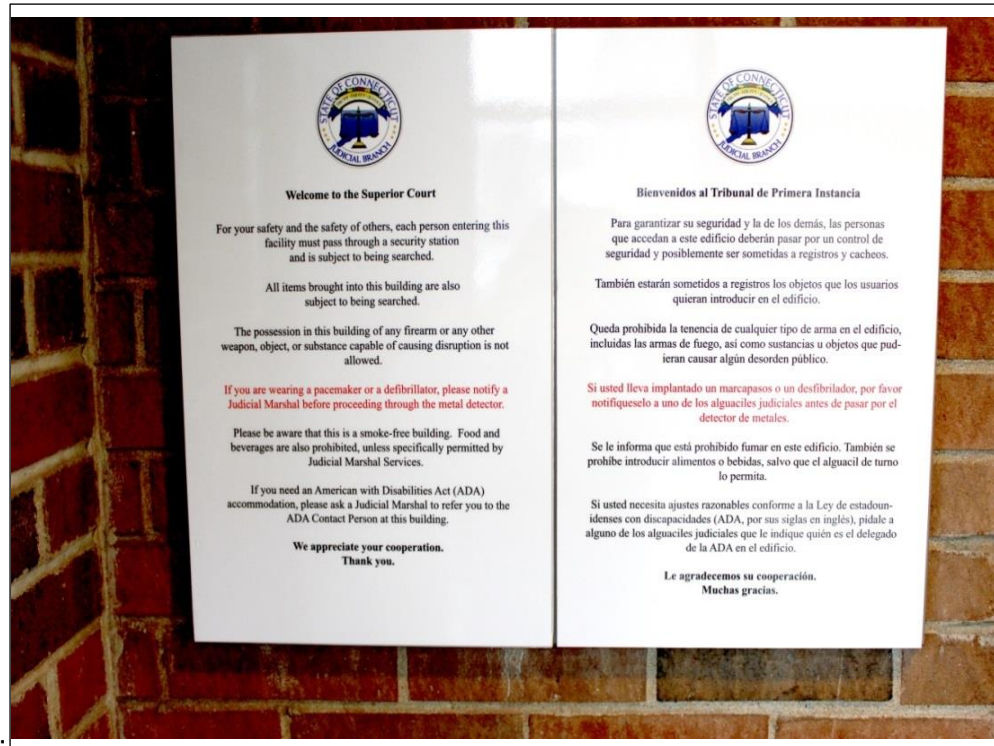
- 3. **Recommendation: Signage:** Make facilities signage readable by, and relevant to, a variety of people with different abilities, whenever possible. This could include small way-finding signs and information on how to request an on-site auxiliary aid.

**Status:** This is an ongoing effort by the Judicial Branch, and in particular the [Access to Facilities Implementation Committee](#), which is chaired by ADA Advisory Board member and ADA Coordinator for External Affairs, Attorney Stephen Ment. Under Attorney Ment’s leadership over the last 18 months, a number of initiatives were developed and implemented, including:

- A. The posting of an [ADA Compliance Notice](#) in all facilities;
- B. The Committee has created a sign featuring universal symbols of accessibility, notifying the public that each facility has an ADA Contact:



- C. The Branch, under the impetus of the Access to Facilities Implementation Committee, installed Welcome signs at all courthouses to ensure uniformity in the delivery of information to all comers. The sign, in English and Spanish, includes language about the Act:



- D. In May 2014, following months of design and discussion, a new ADA Entrance sign was designed and erected in front of the historical Litchfield courthouse. Attorney Ment and the Litchfield Chief Clerk and ADA Contact met with the town's Historical District Commission for their input before successfully garnering their approval in February 2014.



- E. In June 2014, Attorney Ment and Ms. Lugo-Gines began working with Access to Facilities Implementation Committee member Gary Salisbury of the Commission on Official Legal Publications (COLP) to design a sign stating the Judicial Branch's Service Animal policy. The sign, under development at the time of this report, will tell the public that while pets are not allowed in Judicial Branch facilities, service animals are welcomed. Once approved by Chief Court Administrator Judge Carroll, the signs will be printed by COLP and distributed to all Branch facilities.

**4. Recommendation: Training:** The Branch should continue to identify training opportunities for all Branch staff on the Act and its applicability to access programs and processes.

**Status:** In addition to the previously mentioned training for ADA Contacts, the Judicial Branch has developed an extensive list of ADA training for all Branch staff, including:

- A. The New England ADA Center's online "[\*Overview of Disability Rights Laws\*](#)".
- B. ***Successful Interactions with People with Hidden Disabilities***: This 6-hour course features trainer Mary-K O'Sullivan, a Licensed Clinical Social Worker and member of the state [Department of Mental Health and Addiction Services](#) training unit. Staff learn how to identify and assist people with so-called hidden disabilities, such as schizophrenia. In 2013, the Branch sought and received a \$29,500 grant from the State Justice Institute to provide the training to hundreds of staff members, from Judicial Marshals, to court clerks, probation officers, child support enforcement staff, etc. Through June 2014, several hundred Branch employees have completed the class, which runs through September 2014. Currently, this training is mandatory for all new Judicial Marshal Academy trainees.
- C. ***Nuts & Bolts of the ADA*** was designed by Court Operations ADA Coordinator Sandra Lugo-Gines and presented to groups of Judicial Branch staff. The 2 ½ hour course walks participants through Title II of the Act and what that means for the Branch including the types of requests received; services and auxiliary aids offered; the accommodation and grievance process, etc. The class is open to all Branch staff.
- D. ***Service Animals 101*** was designed by ADA Advisory Board member and Judicial Branch ADA Contact Christine Elkins. Ms. Elkins, a Court Recording Monitor, uses the assistance of a service animal. This 75-minute training talks about the ADA and service animals, with a focus on the two questions that the Department of Justice says staff may ask: (1) *Is the dog a service animal required because of a disability?* and (2) *What work or task has the dog been trained to perform?* Participants are provided with the [DOJ's 2010 Guide to Service Animals](#), and a palm card, designed and printed by the Branch, reminding staff of the allowable questions. The interactive training talks about the difference between service animals (allowed) and comfort animals (not allowed) under Title II.

- E. **ADA Informational Sessions** are informal, brown-bag lunch presentations of about 30 minutes, delivered by Ms. Lugo-Gines and her staff. This quick overview of the Act and the accommodation process gives participants a look at the ADA and how the Branch can help people with disabilities. The sessions include Q&As and materials.
  - F. **Hearing Voices** is a training offered on occasion by the Judicial Marshal Academy that allows participants to learn what it's like, if only briefly, to hear voices in their head while trying to conduct routine business.
  - G. **An ADA Module** was presented to the members of the Bench at the 2013 Connecticut Judges Institute. Additionally, newly appointed Judges are learning basic ADA administrative requirements during orientation.
  - H. **An internal, staff-only website** was created so that all staff, with computer access, have quickly available information on how to provide an accommodation, including information on ordering sign language interpreters and CART providers.
  - I. The Judicial Branch is purchasing **Pocket Guides** on communicating with deaf/hard of hearing people. The guide, created by the Rocky Mountain ADA Center, as part of the ADA National Network, will provide staff members who work with the public a tool in emergency communications for people who communicate with sign language. The guides are not a substitute for in-person sign language services, but will be useful in urgent situations requiring immediate communication.
5. **Recommendation: Audio Information:** The Branch should consider utilizing audio-delivered information and posting that information online. For example, audio recording the text of certain ADA brochures and publications would serve not only people with vision problems, but also those with literacy issues.

**Status:** Preliminary inquiries have been made by Board members to those in the IT Division about this possibility. It should be noted that as an accommodation for a person with a disability, compact discs of the audio recordings of their proceedings have been provided.

6. **Recommendation: ADA Notice:** [Committees, Boards, and Workgroups](#), whose meetings are open to the public, should post the Branch's ADA Notice on their individual websites. This would increase access to open meetings for people with disabilities who need a reasonable accommodation.

**Status:** This recommendation has been adopted by support staff to the Branch's many Commissions, Committees and Workgroups, as well as the Statewide Grievance Counsel. Below is a typical Online Notice:

**Meeting Notice:** The next meeting will be **Monday, June 23, 2014 at 9:30 am**. Members of the public may report to 100 Washington Street, 1st Floor, to listen to the teleconference. Wheelchair accessibility is through the front door. If you would like to attend and need an accommodation under the American with Disabilities Act, please email the committee's staff at [viviana.livesay@jud.ct.gov](mailto:viviana.livesay@jud.ct.gov) by June 20th.

7. **Recommendation: ADA Notice on Branch forms:** While the Notice is added to forms as they come up for revision, reprinting, or are newly developed, the Branch should identify online forms or other publications, based on frequency of use, which could be modified immediately to include the Notice.

**Status:** The ADA Notice of Compliance is added to every new form and those that are updated. The notice, as seen on forms, says:

The Judicial Branch of the State of Connecticut complies with the Americans with Disabilities Act (ADA). If you need a reasonable accommodation in accordance with the ADA, contact a court clerk or an ADA contact person listed at [www.jud.ct.gov/ADA](http://www.jud.ct.gov/ADA)

The notice is also being translated into Spanish on forms and publications as they come up for review and updating. Further, because not every form, brochure or other official Judicial Branch written communication is updated annually, the Branch has also added to the forms page an official ADA Notice, below:

**ADA Notice:** The Judicial Branch of the State of Connecticut complies with the Americans with Disabilities Act (ADA). If you need a reasonable accommodation in accordance with the ADA, [contact a court clerk or an ADA contact person.](#)

8. **Recommendation: Plain Language:** The Branch should continue to utilize plain language principles in [brochures, booklets](#) and other public information.

**Status:** Whenever possible, plain language principles are adopted in all publications. An internal, informal guide to plain language was developed, by a Legal Services Unit attorney (now retired), to assist staff who create publications.

9. **Recommendation: Language translation:** The Branch should consider translating into languages other than English information on the ADA, as well as publications detailing accommodation and grievance processes. The information should also be posted on the Branch's Spanish information website.

**Status: Ongoing.** The Board formally requested that [the ADA Guide](#) (JDP-ES-284) be translated into Spanish. It is one of many Branch forms and publications up for translation. Translations are prioritized by an internal Branch review committee, based on a number of factors, including usage.



**10. Recommendation: Grant funding opportunities:** The Branch should seek opportunities for grant funding for projects or programs that would benefit people with differing abilities.

**Status: Ongoing.** As noted previously, the Branch in 2013 received a \$29,500 grant from the [State Justice Institute](#) to provide the *Successful Interactions with People with Hidden Disabilities* training.. (See [page 8 of this PDF](#) from the SJI Grant Awards, SJI-13-E-143.) The grant was awarded: *“to ensure a judicial system where participants with non-apparent disabilities can expect clear, fair, and consistent justice from an independent and impartial judiciary.”* The Judicial Branch’s matching in-kind contribution for the grant is \$3,900.

**11. Recommendation: ADA Notice soliciting comments from the public** on ADA issues: The Board’s Notice, seeking suggestions on how the Branch can continue its compliance with the Act, yielded several e-mailed comments. In order to continue engaging the public, the Branch should consider posting on the homepage a similar Notice allowing for ongoing input from the public on non-case information. This should be coordinated with Legal Services.

**Status: Completed for report, and now ongoing.** The ADA Board sought public comment in preparation of its 2013 report by posting this notice, from January 2- February 3, 2013:

**NOTICE**

The Advisory Board on the Americans with Disabilities Act is preparing an Annual Report on the Judicial Branch’s compliance with the Americans with Disabilities Act (“the Act”). The Advisory Board is seeking specific suggestions on how the Judicial Branch can continue its compliance with the law as mandated under Title II of the Act. Written suggestions are welcomed and may be emailed by February 1, 2013 to [ada.program@jud.ct.gov](mailto:ada.program@jud.ct.gov). Suggestions should relate to Branch programs and/or processes.

***Suggestions or comments relating to specific litigation or cases will not be considered.***

- A. In response to the Notice, the Board received three substantive responses as related to the Notice, and two others unrelated to the Notice and not considered by the Board because they were case-specific. In order to continue engaging the public, the Advisory Board placed a [“Comments & Suggestions” box](#) on the ADA homepage:

**Comments and Suggestions**

The Judicial Branch’s [Advisory Board on the Americans with Disabilities Act](#) was established to support the Judicial Branch’s continued compliance with the Act. The Advisory Board welcomes specific suggestions on how the Branch can continue its compliance with Title II of the Act. **Written suggestions may be emailed to [ada.program@jud.ct.gov](mailto:ada.program@jud.ct.gov).** Please limit suggestions to general observations about programs or processes. Suggestions relating to specific cases will not be considered. Submissions are subject to the Judicial Branch’s [Privacy Policy](#).

**12. Recommendation: Outreach:** The Board should continue its outreach to Judicial Branch Judges and staff on the services offered by the Judicial Branch to accommodate people with disabilities. The Branch may also want to revisit the ADA art display from 2010 and consider the feasibility of establishing a rotating exhibit of artists with disabilities in public areas within our facilities.

**Status:** Outreach is **ongoing** and has included:

- A. Judge Carroll, on behalf of the Board, contacted the leaders of more than a dozen state Bar associations notifying them of the creation of [the ADA Guide For The Public](#) and telling them how to request information on accommodations for their clients or themselves, and on the release of the 2013 Annual Report of the Board.
- B. Ms. Lugo-Gines met in early 2014 with the Probate Court Administrator Paul Knierim and is developing training for those non-judicial employees on the Act and how to ensure their processes and programs are accessible as [Title II entities](#).
- C. Distribution, statewide, to all public libraries, copies of the ADA Guide, through the Access to Justice Commission's [Workgroup on Libraries & Access to Justice](#) (March 2014). Ms. Collins, the Advisory Board support staff, is a member of the Workgroup and of the Access to Justice Commission and represents ADA interests on the Commission.
- D. A monthly electronic newsletter on ADA issues facing the Branch, with an emphasis on current events and training, for ADA Contacts. Ms. Collins writes and distributes the *E-News You Can Use* to all 130+ contacts, as well the Branch's Executive Directors, Court Operations Directors, and Chief Clerks.
- E. Ms. Lugo-Gines and Court Planner Mr. Daniel Irace, who works with Ms. Lugo-Gines on filling ADA requests and training staff on the Act, were interviewed April 25, 2014, by Felix Rivera of [WPRX 1120 AM](#) to discuss the ADA process at the courts. WPRX is a Spanish-speaking radio station, and the interview was in Spanish and English. Ms. Lugo-Gines and Mr. Irace explained the process of obtaining an ADA accommodation in the courts. Mr. Rivera informs his listeners on his show, *Hablando en Serio*, about the services that are available to the community from the state. From the radio station's website: *"WPRX 1120 AM "La Puertorriqueñísima" was founded to fulfill the immediate needs of the Hispanic Community in the Connecticut area. Our signal reaches more than 300,000 Hispanics in Connecticut and Massachusetts. Today "La Puertorriqueñísima" is Connecticut's best Spanish Radio Station for music, news, and community oriented programs. Our Non-Directional signal reaches the largest Hispanic Communities of the state of Connecticut, 24Hrs. a Day. Being the only Puerto Rican owned Radio Station in North America provides us with full insight of the cultural needs of the Puerto Rican/Latin communities which we serve; 95% of the Hispanic Community listens to radio and 90% of that obtains their news and entertainment from Spanish radio."*
- F. Ms. Lugo-Gines and Ms. Collins attended a statewide conference of ADA coordinators and contacts sponsored by the state Department of Administrative Services Commissioner Donald DeFronzo. The forum was an opportunity for state agencies and the Branch to share information on adhering to the Act.

- G. Ms. Lugo-Gines was honored for her work as an advocate to ensuring access to justice for people with disabilities, receiving a 2011 Special Recognition from the Concerned Citizens for People with Disabilities in Milford, Conn.

## **Going Forward: New Recommendations, 2014 – 2015**

The Judicial Branch recognizes the scope of the ADA is broad, complicated, and it continues to be interpreted in the courts. The Branch is dedicated to continuing to do its best to ensure meaningful access to justice for the ADA community, and continues to look beyond “necessary compliance” as its guidance. Complying with the spirit of the Act and identifying areas in which improvements can be made by anticipating changes in the public’s need is an ongoing, ingrained function of the Judicial Branch.

The following new recommendations for 2014-2015 are respectfully made to Chief Justice Rogers by the ADA Advisory Board. The recommendations have been identified as belonging in one of four categories: Facilities, Training, Technology, and Outreach and Compliance. The Advisory Board is cognizant of the realities of fiscal limitation, staff restraints, and other factors that affect Judicial Branch operations. Therefore, these recommendations are solely thus: suggestions that support the Branch’s mission to the public and in support of access for all people.

### **A. Facilities**

1. The Branch should conduct on-site surveys of restrooms to ensure accessibility, beginning with restrooms used by jurors. Assessments should be conducted using the criteria established by the Department of Justice [2010 ADA Standards for Accessible Design](#). The DOJ has established [Guidance on the 2010 Standards](#) as well as an [Information Line](#) available for assistance. Restrooms in facilities owned by the Judicial Branch and open to the public, which do not meet the 2010 standards should, whenever architecturally feasible, be brought into compliance. Further, restrooms in facilities not owned by the Judicial Branch that are found to be inaccessible should be brought into compliance by the lessors.
2. Parking: Where parking is provided to jurors and members of the public by the Judicial Branch, the Branch should revise its [Internet Directions and Information](#) pages to expand way-finding information to the judicial facility. Specifically, pages should be updated to include accurate and specific information on the distance between juror and Branch-owned public parking lots and the public entrance to the facility served by those parking area(s).
3. The Branch should consider posting way-finding signage between elevators and/or stairs that also indicates distances. For example, if a person with a mobility issue exits an elevator, a sign telling them the approximate distance to the nearest restroom would be helpful. Further, the Branch should consider posting information about accessibility features of public facilities on the Directions pages of each of the public facilities. For example, buildings that have elevators; the locations of publicly available, accessible restrooms and other relevant public areas.



4. Parking signage: The Judicial Branch should consider posting signage in its jury parking lots that provide information for use by jurors with a communication disability who are unable to enter unattended juror parking areas.

## **B. Training**

1. The Judicial Branch has added training in response to the public's needs and changing requirements, including training for Judges at the annual Judges Institute, and upon orientation to the Bench. Judge Support Services (JSS) should continue to work with the Advisory Board to develop training for Judges on the ADA accommodation process. This can include an explanation of the administrative nature of providing ADA modifications and accommodations for the public, including accommodations that necessarily affect the flow of court proceedings, particularly for individuals with hidden disabilities. Additionally, JSS may want to consider developing training for Judges and judicial officers on the etiquette and sensitivity that may be required in handling and implementing accommodation requests from people with disabilities.
2. In order to ensure that more staff are continuously trained on the Act, the Branch should develop more online training for Branch staff, with a particular emphasis on the Nuts & Bolts of the ADA, and on service animals. Both of these trainings are currently conducted by Branch staff; developing online training in both of these areas, with input from all Divisions, will help the Branch to deliver uniform training on the laws and requirements of the Act to all employees.
3. The Branch should continue to seek grant funding to expand and/or continue specific training on serving people with hidden disabilities. In the current fiscal year, the State Justice Institute's \$29,500 grant, matched with \$3,900 Branch training dollars, allowed hundreds of employees to attend daylong training on *Successful Interactions with People with Hidden Disabilities*. This training has been very highly rated by attendees, many of whom have indicated it should be mandatory for all staff. The Branch should consider making some ADA training mandatory for supervisors, managers and staff.
4. The Judicial Branch annually provides tens of thousands of dollar in services, at no cost, to individuals with disabilities. The Branch should consider budgeting additional amounts each year to purchase updated training materials, such as information guides, to provide to ADA Contacts and Branch staff who work directly with the public.

## **C. Technology**

1. The Judicial Branch should consider investing a portion of its equipment budget for the new court facility in improved communications features, including the installation of a hearing loop in a trial courtroom; the purchase of portable video relay interpreter equipment; and the purchase of Wireless Assistance Listening System Frequency Modulation (FM) kits. Portable FM kits can be used in any setting at any location.

2. With the construction of the new Torrington Courthouse, the architectural firm(s) charged with designing the facility should review these recommendations in consideration of making the new site the Branch's most accessible facility for people with different abilities. The architects should consider the United States Advisory Board's Courthouse Accessibility Committee's [2006 report, Designing Accessible Courthouses](#). Further, as part of the budget requires a certain percentage be set aside for art purchases, the Branch should consider purchasing works by artists with different abilities for the new courthouse.
3. The Judicial Branch should develop a database or other computer system to track ADA-usage statistics and other related data, including technology requests and usage

## **D. Outreach and Compliance**

1. The Judicial Branch should, with the assistance of the Advisory Board, fully articulate its ADA policies that support all aspects of the requirements of the Act. The overarching policy should address the requirements of Title II entities to provide effective communication and reasonable modifications, as well as DOJ requirements related to service animals.
2. The Judicial Branch should implement a survey of court users who make ADA accommodation requests, to determine if the accommodation process is easy to understand; whether the request process is working; to determine if the Branch is providing appropriate and current (i.e., updated) accommodations; and to gauge the level of quality of vendor-provided services, such as sign language, and the quality of [Judicial Branch auxiliary aids](#). The data should be collected and used to develop performance measures and metrics.
3. The Branch should offer ADA compliance training to states attorneys and public defenders, whose offices are housed in Judicial Branch facilities. State's attorneys are Constitutional officers who are part of the Executive Branch's Division of Criminal Justice; the Division of Public Defender Services is led by the Chief Public Defender and is a state agency. Occasionally, requests for ADA accommodations made to the Judicial Branch on behalf of parties to criminal cases that directly impact the administration of a courtroom proceeding. Training of these non-Judicial Branch entities, by Judicial Branch staff, on the Act, the Branch's obligations, and the services and aids offered to all people will help to ensure that people with disabilities receive appropriate accommodations from non-judicial authorities, managers and staff inside Judicial Branch facilities.
4. The Advisory Board should continue to conduct community outreach, when possible, about the Branch's commitment to the ADA, and provide education to community members on how the Branch provides services to people with disabilities. That should include offering [materials in other languages](#), such as [Spanish](#) and Polish. The information should also be posted on the Branch's Spanish information website.
5. The Branch's [Courthouse Observation Team \(COT\)](#) should conduct focused observations to ensure that people with disabilities are being appropriately accommodated by Judicial Branch staff.

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