

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



**Report to**  
**Chief Justice Chase T. Rogers**  
**March 2016**  
**Chief Court Administrator**  
**Judge Patrick L. Carroll III, Chair**

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The Advisory Board on the  
Americans with Disabilities Act**

**The Hon. Patrick L. Carroll III,  
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STATE OF CONNECTICUT  
JUDICIAL BRANCH

CHAMBERS OF  
PATRICK L. CARROLL III  
CHIEF COURT ADMINISTRATOR

231 CAPITOL AVENUE  
HARTFORD, CT 06106

March 14, 2016

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

Dear Chief Justice Rogers,

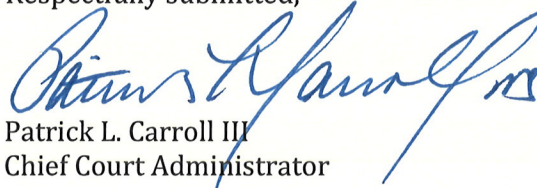
As Chairman of the Advisory Board on the Americans with Disabilities Act, I am pleased to present for your consideration the Advisory Board's 2015 report.

This report offers four new recommendations and provides updates of the sixteen recommendations made in the 2014 Advisory Board report. Many of the previous recommendations have been completed, are underway, or have evolved into operational activities. Training remains a particular focus and in 2015, more than 1,500 Judicial Branch staff members attended ADA-related training. Additionally, members of the Bench received ADA training at the annual Judges Institute, and newly-appointed Judges and family support magistrates are also trained on various ADA aspects.

As you know, the Judicial Branch's dedication to increasing access to justice for all people was recognized by the Center for Access to Justice at Cardozo Law School, with a well-deserved top ranking among all states. The Board is pleased with the Branch's 100 percent compliance rating with the Center's section on access for people with disabilities, yet, we know that more can be done.

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,



Patrick L. Carroll III  
Chief Court Administrator

PLC:sw



**The Advisory Board on the Americans with Disabilities Act  
Annual Report to Chief Justice Chase T. Rogers  
March 2016**

Chief Justice Chase T. Rogers has made access to justice the Judicial Branch's priority since her elevation in 2007 to lead the Branch in the early part of the new millennium. As the first outcome goal in the Judicial Branch's Strategic Plan, increasing access to justice for all people is the cornerstone of the plan. It is paying off.

In 2015, [the Justice Index](#), a compilation of data related to access to justice for people with disabilities, those for whom English is a second language, people with little to modest means, and self-represented parties, determined that the Connecticut Judicial Branch provided the best access to its court system for people with disabilities. [Researchers at the National Center for Access to Justice](#) at Cardozo Law School, in New York City, worked for months surveying every state in the nation and the District of Columbia. There were dozens of questions related to access, and states were required to provide citations, including policies and statutes, that support their responses.

The [first Justice Index](#) was released in 2014: Connecticut [has finished first](#) in both 2015 and 2014 among all states. Only the District of Columbia fared better, but its very high score in the section on [access to legal aid attorneys](#)—which is out of the purview of the Judicial Branch—made its cumulative score higher.

There is much for the Connecticut Judicial Branch to be pleased with, but, as Chief Justice Rogers has always said, we can do more and do better, even when we have fewer resources.

The Advisory Board on the Americans with Disabilities Act acts as an informal advisor to the Judicial Branch on matters of access for people with disabilities. Board members include representatives from all five of the Branch's divisions; collaboration and accountability — two other outcome goals of the Strategic Plan — are critical to help level the playing field for all people who wish to access the Branch's services, programs, processes, and facilities.

The Americans with Disabilities Act is now a quarter-century old, with July 26, 2015 marking the anniversary of the day that President George H.W. Bush signed into law the act that sought to ensure equal rights for people with disabilities. In signing the Act, President Bush [noted that](#) it had taken the work of thousands of people from across the country to bring "this historic new Civil Rights Act" to fruition.

According to the U.S. Census, nearly 57 million Americans report living with a disability and 38 million of those folks report the disability is serious. In other words, 1 in 5 Americans has a disability, and 1 in 8 have a serious disability. Approximately 12 million people with disabilities reported needing assistance with daily living activities, or 4.4 percent of the total population.

Under the ADA, the United States has become more accessible to people with disabilities. From ensuring wheelchair accessibility in new construction, to retrofitting buildings with ramps, larger bathrooms, and flashing alarms that alert people with hearing loss, to requiring websites to be accessible for people with communication disabilities or restaurants, airplanes and other public services to allow service animals: the ADA has done much to ensure people with disabilities are not excluded from daily activities that so many take for granted.

As a public entity, the Connecticut Judicial Branch is required to comply with Title II of the ADA, which prohibits discrimination and requires our programs and processes to be accessible to people with disabilities. The Branch has embraced the letter and the spirit of the Act and actively seeks to identify and remove barriers that inhibit court access. For example, the Branch routinely provides sign language interpreters. Other relatively routine accommodations include allowing people with anxiety or other 'hidden disabilities' to be accompanied by a friend who alleviates his or her stress when appearing in court. Service animals are welcomed in our facilities, and hundreds of Branch staff have been trained on the federal government's service animal requirements.

Millions of people come in and out of our facilities each year. In order to ensure that people with disabilities can access our facilities, programs, and processes, every facility has at least one ADA contact—a person who will help effectuate court access for anyone with a special need. In all, the Branch has identified and trained more than 150 ADA Contacts, and each Division has its own ADA Coordinator. Additionally, the five Division Coordinators are members of the Advisory Board on the Americans with Disabilities Act, which is chaired by Chief Court Administrator Judge Patrick L. Carroll III. Other members include representatives from the Supreme and Appellate courts, and the Superior Court Operations Judicial Marshal Services unit.

In 2014, the Advisory Board made a number of recommendations to improve the delivery of services and accessibility for people with disabilities. Some of those recommendations are ongoing, and will be repeated here.

## **Status of 2014 Recommendations**

- 1.) The Branch should conduct on-site surveys of restrooms to ensure accessibility, beginning with restrooms used by jurors. 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.
  - **Status:** The Branch received bond funds to conduct a Juror Accessibility Study. The consultant looked at the juror experience - from the parking lot to the courtroom - and has visited and evaluated 20 courthouses. Facilities will be reviewing the initial submissions, will comment back to the consultant, and expects to present the final report with recommendations by February 2016.
- 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.
  - **Status:** The Branch's Access to Facilities Implementation Committee (A2FIC) voted at its January 2016 meeting to revise the Internet Directions to ensure accuracy and consistency, include specific information about parking for people with disabilities, jurors and members of the public, and to focus on providing actual distances to Branch facilities' front doors from the accessible parking areas. Where feasible, an effort will also be made to post walking instructions from parking areas, if needed.
- 3.) The Branch should consider posting way-finding signage between elevators and/or stairs that indicate distances. 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.
  - **Status:** Similar to the status of recommendation #2, the members of the A2FIC were in agreement that building directories ought to be updated to indicate handicapped-accessible restrooms, that additional, smaller directories ought to be posted throughout the facility, and that where appropriate, additional wayfinding

signage should be posted outside of elevators and stairs. The Committee also felt that building directories should be posted on the Directions pages of each facility.

- 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.
  - **Status:** Signage at unattended juror parking areas will be reviewed to ensure that individuals with communication disabilities can get any assistance necessary to gain access to our facilities.
- 5.) 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.
  - **Status:** Judges received an overview of the ADA at Judges Institute. Additionally, Appellate Court judges were given a presentation on the ADA and accommodation process, by the Superior Court Operations ADA Coordinator.
  - New Judges are presented with training on service animals and on the ADA accommodation procedure.
  - This recommendation is repeated, as it is ongoing in nature.
- 6.) In order to ensure that more staff are continuously trained on the Act, the Branch should develop more online training 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.



- **Status:** In 2015, a variety of ADA-related trainings were presented to Judicial Branch staff, including: Vicarious Trauma; The Nuts and Bolts of the ADA; Service Animals 101; ADA Information Sessions; and Dispelling Myths About Disabilities.
- As of December 2015, some **1,059** Judicial Branch staff — more than a quarter — attended one or more of the trainings.
- The Information and Technology Division developed an online training for all developers and testers, on developing and ensuring ADA accessibility for the Branch's webpages.
- An online Overview of Disability Rights course is available to all Branch employees. Developed by the New England ADA Center, a project of the Institute for Human Centered Design. *"The course is based, in part, on regulations and technical assistance material written by the U.S. Department of Justice, the U.S. Equal Employment Opportunity Commission, the U.S. Department of Transportation and the U.S. Department of Housing and Urban Development."*
- The Superior Court Operations ADA Coordinator and staff presented 90-minute training to the Branch's Jury Coordinators. The coordinators learned about the request for accommodation process, and the variety of available auxiliary aids and services that the Branch offers.
- The Court Support Services Division is now requiring every employee to attend a minimum of 2 hours of ADA-training. It is notable that all of the training currently presented by staff from the Superior Court Operations Division is open to all Judicial Branch employees, regardless of division.
- Training is ongoing, and the Superior Court Operations ADA Coordinator is working with staff from the Information Technology Division to develop online training. Topics include service animals, and the Nuts & Bolts overview.

7.) The Branch should continue to seek grant funding to expand and/or continue specific training on serving people with hidden disabilities.

- **Status:** 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 Vicarious Trauma, the second part of earlier training on *Successful Interactions with People with Hidden Disabilities*.
- This is an ongoing effort and the recommendation is repeated.

- 8.) 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.
- **Status:** In coordination with ADA-related training, the Branch has developed a Quick Reference Guide for staff, as well as palm cards and information cards on the laws covering service animals.
  - This recommendation is ongoing.
- 9.) 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.
- **Status: An equipment survey** was done and the Branch purchased nine Pocket Talkers (portable amplifiers) and two portable FM systems to accommodate people with hearing loss, a request that we are seeing more and more frequently. Additionally, a permanent FM kit was recently installed at 80 Washington Street, in Hartford.
  - The Branch purchased 250 emergency sign language guides, called Vital Signs, to help communicate with people who use ASL, in an emergency. This is a stopgap measure that can be used in an emergency. The guides have been distributed to chief clerks and court service centers, as well as chief judicial marshals.
- 10.) 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. 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.
- **Status:** The new courthouse will meet or exceed ADA compliance requirements.
  - According to Facilities Management, the art purchasing process is not controlled by nor is the art "purchased" by the Branch. The State Dept. of Culture and

Tourism, Art in Public Spaces Program, purchases the art work and administers the 1% for the Arts program. They convene a committee that selects the artists. We have supplied the contact information for the Art in Public Spaces Program to the ADA Advisory Committee in the past and it is my understanding that the administrators of the program have been contacted. As for the selection committee, the Administrative Judge for the Litchfield JD has selected representatives of the JD/GA/Juvenile Court staff to serve on behalf of the Branch.

- 11.) 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/
  - **Status:** A Database was developed and is tracking usage and other related data.
- 12.) 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.
  - **Status:** The Branch's ADA Internet homepage is being redesigned to be more intuitive and user-friendly. It will be live in early 2016. Policies and procedures will be easier to identify.
  - **Status:** The Branch has posted its policies on the Internet. Additionally, the Law Libraries this year unveiled a page dedicated to legal information on service animals. It can be found here: <http://www.jud.ct.gov/lawlib/law/serviceanimals.htm>
- 13.) 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.

- **Status:** This accommodation survey was piloted with jurors in the Hartford and New Britain judicial districts, and with jurors in Bridgeport. The survey seeks to assess the process for requesting an accommodation and the quality of the accommodation. The data will be used to tweak, if necessary, processes, procedures, and/or the quality of granted accommodations, including auxiliary aids. Currently, we are in the process of reviewing alternate methods of distribution since there was not enough feedback received.

14.) The Branch should offer ADA compliance training to states attorneys and public defenders, whose offices are housed in Judicial Branch facilities.

- **Status:** An initial outreach has been made to the Chief Public Defender. **This recommendation will be repeated.**

15.) 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.

- **Status:** Chief Justice Rogers, Judge Carroll, and the Superior Court Operations Division ADA Coordinator in September attended the Branch's first-ever [\*Justice Fair\*](#), which brought together public librarians, legal aid attorneys, and Branch staff to talk about access to justice, and available resources, including ADA information.
- Outreach included a presentation on the ADA at the School for the Deaf, and appearance on CRIS Radio on accommodations for jurors.
- Probate Court training: The Superior Court Operations ADA coordinator and staff presented *Nuts & Bolts of the ADA* to some 125 probate judges and staff. The Branch also worked with Probate Administration to help set up their ADA program and update their webpage. They have adopted most of the Branch's materials and procedures.
- **This recommendation is ongoing and should be repeated.**

16.) 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.

- Courthouse observers are asking specific, ADA-related questions during their observations, focusing on signage with information about auxiliary aid availability and accessible parking and entryways.

### **Going forward**

In addition to previous recommendations which are ongoing or are being repeated, the Advisory Board respectfully makes the following recommendations:

- 1.) The Branch should offer ADA compliance training to states attorneys and public defenders and their staff members. 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.
- 2.) *Vicarious Trauma* and *Service Animals 101* will continue to be offered into 2016.
- 3.) Facilities will look at addressing the necessary deficiencies identified by the consultant.
- 4.) The digital audio project team is automating the availability of certain audio proceedings with an eye towards allowing remote audio access. It is planned for pilot and possibly production during the 2016 calendar year.

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