

THE LANCASTER COUNTY COURT OF COMMON PLEAS

ADA POLICY, PROCEDURE and REQUEST for REASONABLE ACCOMMODATION FORM

POLICY STATEMENT

It is the policy of The Court of Common Pleas to assure that individuals with disabilities have equal and full access to the Court's proceedings, services, programs and activities. Nothing in this policy shall be construed to impose limitations or to invalidate the remedies, rights, and procedures accorded to any individual with disabilities under state or federal law. To that end, Court of Common Pleas staff will make every effort to assist individuals with disabilities who request reasonable accommodations by utilizing the guidelines and procedures established by this policy.

DEFINITIONS

1. **Accommodation** means measures to make each service, program, or activity, when viewed in its entirety, readily accessible to and usable by a person with a disability, and may include but is not limited to:

A. Making reasonable modifications in policies, practices, and procedures;

B. Furnishing, at no charge, auxiliary aids and services, including but not limited to equipment, devices, materials in alternative formats, qualified interpreters, or readers.

2. **Court User** means any lawyer, party, witness, juror, or any other individual who has a specific interest in or is participating in any court program, service, activity, or proceeding.

3. **Person with a disability** means a person covered by Title II of the Americans with Disabilities Act as defined by 42 U.S.C. §12102. This term includes, but is not limited to, an individual who has a physical or mental impairment that limits one or more major life activities or has a documented history of such impairment. 42 U.S.C. § 12132 provides that "no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity".

INFORMATION FOR PERSONS WITH DISABILITIES WHO NEED ACCOMMODATIONS TO ACCESS COUNTY AND COURT OFFICES

Who may receive an accommodation? Anyone with a disability who needs assistance to participate in a court service, program, activity, or proceeding may request a reasonable accommodation. A disability is defined by federal and state laws, including the Americans with Disabilities Act and other applicable regulations.

What information is needed? Court users must tell the Court ADA Coordinator why they need an accommodation and what accommodation they would like. This information will allow the Court ADA Coordinator to determine the need and type of accommodation.

How does an individual ask for a reasonable accommodation? A "Request for Reasonable Accommodation Form" is provided for court users to complete and submit. The Court ADA Coordinator may request additional information, if necessary, to determine the need and type of accommodation.

Where is the form provided to request a reasonable accommodation? You can access this form on the Court of Common Pleas web page at <http://www.court.co.lancaster.pa.us>. The form may also be obtained at any court office including the Magisterial District Court Offices.

When should the form be filed? The form should be filed as soon as court users know they need an accommodation. The Court ADA Coordinator will usually need to receive the request at least three (3) business days before the accommodation is needed. Requests coming in later than that will be granted if they are possible.

Who gets this information? The request should be submitted to the Court ADA Coordinator.

Must all requests be granted? The ADA does not require the Court of Common Pleas to take any action that would fundamentally alter the nature of its programs of services, or impose an undue financial or administrative burden. If a request for accommodation is denied on either of those grounds, the person with a disability will receive a written explanation with the reason why the requested accommodation was denied.

How will I be notified? You will be notified as you requested in the "Notification" section of the request form. You will also receive a copy of both pages of the request form.

INSTRUCTIONS – REQUEST FOR REASONABLE ACCOMMODATIONS

If you have a disability and you need an accommodation to fully and equally participate in a county or court program, service activity or proceeding, you may request a reasonable accommodation.

To request a reasonable accommodation, complete the **Request for Reasonable Accommodation Form** and return the form to the Court of Common Pleas ADA Coordinator listed below:

Court of Common Pleas ADA Coordinator
Office of District Court Administration
50 N Duke St
PO Box 83480
Lancaster, PA 17608-3480
Voice (717) 299-8041; Relay Service TTY/TDD 711 or (800) 654-5984
FAX (717) 295-3599; Email CourtADACoordinator@lancastercountypa.gov

If you need additional help completing the **Request for Reasonable Accommodation Form**, contact the Court ADA Coordinator listed above.

A request for accommodation should be made as far in advance as practical of the proceeding or activity for which the accommodation is sought.

NOTICE OF ACCOMMODATION PROCEDURE

The Court ADA Coordinator will be responsible for notifying the court user of the decision regarding his/her request for reasonable accommodation. The court user shall be notified of the following information:

- Whether the request was denied or approved
- The type of accommodation to be provided

- Explanation of the grievance process

A copy of the Request for Reasonable Accommodation Form with the requested resolution information will be returned to the applicant.

DENIAL OF ACCOMMODATION

A request may be denied only if the Court ADA Coordinator finds that:

1. The requested accommodation would create an undue financial or administrative burden;
2. The requested accommodation would fundamentally alter the nature of the court service, program, activity, or proceeding.