

FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
ADMINISTRATIVE GOVERNING BOARD
OF THE FIRST JUDICIAL DISTRICT OF PENNSYLVANIA

No 02 of 2014

In re: Americans with Disabilities Act (Title II) Policy, Americans with Disabilities Act (Title II) Grievance Procedure, and Implementing Forms

ORDER

AND now, this 5th day of November, 2014, upon review, discussion and consideration of the attached policies providing for reasonable accommodations for the public under Title II of the Americans with Disabilities Act, IT IS HEREBY ORDERED and DECREED that the Administrative Governing Board of the First Judicial District of Pennsylvania adopts and promulgates the attached “Americans with Disabilities Act (Title II) Policy” and “Americans with Disabilities Act (Title II) Grievance Procedure” and implementing forms.

The original Order, Americans with Disability Act Policy, Grievance Procedure and Forms shall be filed with the Office of Judicial Records in a Docket maintained for orders issued by the Administrative Governing Board of the First Judicial District of Pennsylvania. The Order, Americans with Disability Act Policy, Grievance Procedure and Forms shall be submitted to the Pennsylvania Bulletin for publication and shall become effective thirty (30) days after publication in the Pennsylvania Bulletin. Copies shall also be submitted to the Administrative Office of Pennsylvania Courts, American Lawyer Media, The Legal Intelligencer, Jenkins Memorial Law Library, and the Law Library for the First Judicial District of Pennsylvania, and shall be posted on the website of the First Judicial District of Pennsylvania: <http://www.courts.phila.gov/>.

BY THE COURT:

/s/ John W. Herron

Honorable John W. Herron
Chair, Administrative Governing Board
First Judicial District of Pennsylvania
Administrative Judge, Trial Division
Court of Common Pleas, Philadelphia County

FIRST JUDICIAL DISTRICT OF PENNSYLVANIA AMERICANS WITH DISABILITIES ACT (TITLE II) POLICY

The First Judicial District of Pennsylvania (District) complies with Title II of the Americans with Disabilities Act (ADA) which 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.” 42 U.S.C.A. §12132. Pursuant to that requirement, if you are an individual with a disability who needs an accommodation in order to participate in any judicial proceeding or any other service, program, or activity of the District, you are entitled, at no cost to you, to the provision of certain assistance. The ADA does not require the First Judicial District of Pennsylvania to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden.

If you require an accommodation under the ADA, it is recommended that you make your request as soon as possible or at least three (3) business days before your scheduled participation in any court proceeding or District program or activity. All requests for accommodation, regardless of timeliness, will be given due consideration and if necessary, may require an interactive process between the requestor and the First Judicial District of Pennsylvania to determine the best course of action.

To request a reasonable accommodation, please complete the *Request for Reasonable Accommodation Form* and return it to the ADA Coordinator(s) for your Court, Division or Department. A copy of the list is attached to this Policy. A current copy of the list will be available on the District’s Intranet at: <http://fjdintranet.courts.phila.gov/Pages/Home.aspx> and on the FJD Website at <http://www.courts.phila.gov>. Please call 215-683-6950 if you cannot determine the name of your ADA Coordinator.

If you need assistance completing this form, contact the ADA Coordinator for your Court, Division or Department.

Complaints alleging violations of Title II under the ADA may be filed pursuant to the First Judicial District of Pennsylvania’s **Grievance Procedure** with the below:

**Lead ADA Coordinator
First Judicial District of Pennsylvania
Office of Human Resources
668 City Hall
Philadelphia, PA 19107
(215)683-6950
HumanResources@courts.phila.gov**

A response will be sent to you after careful review of the facts.

**First Judicial District Of Pennsylvania
Americans With Disabilities Act (Title II)
Grievance Procedure**

This grievance procedure is established for the prompt resolution of complaints alleging any violation of Title II of the Americans with Disabilities Act (ADA) in the provision of services, programs, or activities by the First Judicial District of Pennsylvania (FJD). If you require a reasonable accommodation to complete the *Grievance Form*, or need this form in an alternate format, please contact the FJD's ADA Coordinator for your Court, Division or Department. A current copy of the list is available on the District's Intranet at: <http://fjdintranet.courts.phila.gov/Pages/Home.aspx> and on the FJD Website at <http://www.courts.phila.gov>.

To file a complaint under the **Grievance Procedure** please take the following steps:

1. Complete the *Americans With Disabilities Act (Title II) Grievance Form* and return to:

**Lead ADA Coordinator
Office of Human Resources
668 City Hall, Philadelphia, PA 19107
(215)683-6950
HumanResources@courts.phila.gov**

Alternative means of filing complaints will be made available for persons with disabilities upon request. The complaint should be submitted as soon as possible but no later than sixty (60) calendar days after the alleged violation.

2. Within fifteen (15) calendar days of receipt of the complaint, the above named person will investigate the complaint, including, meeting with the individual seeking an accommodation, either in person or via telephone, to discuss the complaint and the possible resolutions. Within fifteen (15) calendar days of the meeting, the above named person will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio. The response will explain the position of the First Judicial District of Pennsylvania and offer options for substantive resolution of the complaint.
3. If the response to the complaint does not satisfactorily resolve the issue, the complainant may appeal the decision within fifteen (15) calendar days after receipt of the response to Amy Mader, Executive Director, Office of Human Resources. Within fifteen (15) calendar days after receipt of the appeal, Ms. Mader will meet with the complainant to discuss the complaint and possible resolutions. Within fifteen (15) calendar days after the meeting, Miss Mader will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

This grievance procedure is informal. An individual's participation in this informal process is completely voluntary. Use of this grievance procedure is not a prerequisite to and does not preclude a complainant from pursuing other remedies available under law.

The UJS Policy on Non-Discrimination and Equal Employment Opportunity also encompasses disability-related issues and provides complaint procedures for UJS court users. Any employment-related disability discrimination complaints will be governed by the UJS Policy on Nondiscrimination and Equal Employment Opportunity.