

Fifteenth Judicial Circuit

ADA – Grievance Procedure

It is the intent of the Fifteenth Judicial Circuit to fully comply with the ADA and to assure equity, fairness and full participation in the judicial system for persons with disabilities.

The purpose of this procedure is to establish a mechanism for resolving complaints without requiring the complainant to resort to federal complaint procedures. However, complainants would not be required to exhaust this grievance procedure before they could file a complaint at the federal level.

It is the intent of the Fifteenth Judicial Circuit that complainants be consulted and advised, and that communication is maintained at each step of the grievance process. It is further the intent of the Circuit to engage alternative dispute resolution techniques whenever necessary and at any point in the grievance process.

- Complaints shall be filed with the ADA Coordinator no later than one hundred eighty (180) days from the date of the alleged violation. The filing deadline may be extended upon a showing of good cause.
- The ADA Coordinator will determine which function of the court is at issue; facilities, programs, services, benefits or activities.
- The ADA Coordinator will notify the Chief Judge and the Trial Court Administrator as soon as practical.
- A team consisting of at least three (3) people shall address the complaint. A person who is charged in the complaint with alleged discriminatory conduct shall not be a member of the team.
- The team shall consult representatives from county government entities in the resolution of the grievance when the complaint involves a court facility, program, service, benefit or activity that is under their authority or is provided by the courts.
- The team or a member of the team will review the complaint with the complainant. The team or a member of the team will interview witnesses who can provide supportive or relevant information and complete the fact finding process.
- The team or a member of the team shall determine the legal sufficiency of the complaint. In making this determination, the team shall consider a consultation with the Office of the State Courts Administrator, Department of Legal Affairs and Education.
- If the complaint is legally deficient, the grievance process shall be brought to a close immediately. If a complaint is legally sufficient, the team will establish a course of legal action to resolve the grievance.
- To the extent necessary, the court may make reasonable modification to its programs, services, benefits and activities in order to ensure future compliance with the ADA.
- When appropriate and to the extent necessary, the court may work with county government to make reasonable modification to court facilities, programs, services benefits, court

notices and activities that are under the authority of, or provided by, county government to ensure future compliance with the ADA.

- The court may invoke the course of action described in the regulations implementing the ADA (28 CFR sec. 35.164) when modifications would result in a fundamental alteration in the nature of a service, program or activity or in undue financial and administrative burdens.
- The ADA Coordinator shall communicate the results of the investigation and the chosen course of action to the complainant no later than thirty (30) working days from the date the complaint was filed.
- A record of the grievance shall be maintained for three (3) years. The record shall be located with the ADA Coordinator.

A complainant shall use the Statement of Grievance form. If the complainant cannot write, then staff will assist the complainant in filling out the form. The Statement of Grievance form shall contain the following minimum information:

- Name, address and telephone number of the complainant on whose behalf the complaint is being made.
- The court facility in which the violation is alleged to have occurred.
- A complete statement of the grievance and the facts upon which it is based.
- The desired remedy or solution requested, and
- The names of any witnesses who can provide supportive or related information.

**Title II - Americans with Disabilities Act of 1990
Statement of Grievance**

Please fill out this form completely; print or type. Sign and return to:

**ADA Coordinator
Fifteenth Judicial Circuit
205 North Dixie Highway
West Palm Beach, Florida 33401**

Name of individual Making the Complaint: _____

Address: _____

City: _____ State: _____ Zip: _____

Day Telephone: _____ Evening Telephone: _____

Other: _____

Complete the following section if the complaint is being filed by a person other than the person making the complaint:

Complaint filed by: _____

Title (if applicable): _____

Firm (if applicable): _____

Address: _____

City: _____ State: _____ Zip: _____

Day Telephone: _____ Evening Telephone: _____

Case Number of Juror Number (if known): _____

Date when the alleged discrimination occurred: _____

Name the court or court facility in which the violation is alleged to have occurred:

Names of witnesses who can provide additional information if needed:

Witness #1:

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Day Telephone: _____ Evening Telephone: _____

Witness #2:

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Day Telephone: _____ Evening Telephone: _____

State the solution you believe is appropriate for your grievance:

Have you filed, or do you intend to file a complaint about this situation with any other court or governmental agency? Yes No

If yes,

Agency or Court: _____

Contact Person: _____

Address: _____

City: _____ State: _____ Zip: _____

Day Telephone: _____ Date Filed: _____

Signature of person filing complaint or person discriminated against:

_____ Date: _____