

LUCAS COUNTY COURT OF COMMON PLEAS DOMESTIC RELATIONS DIVISION ADA ACCOMMODATIONS

The Lucas County Domestic Relations Division is committed to providing equal access consistent with the Americans with Disabilities Act (ADA), the Americans with Disabilities Amendments Act of 2008 (ADAAA) and other state and federal laws. If you have a disability that may restrict your ability to meaningfully participate in court proceedings, programs, activities, or services we will make a best faith effort to provide you with reasonable and appropriate accommodations at no cost to you.

What are the state and federal laws regarding individuals with disabilities?

The ADA and the ADAAA are federal civil rights statutes that require state and local governments, including the court system, to reasonably accommodate the needs of qualified individuals with disabilities.

In accordance with the ADA and the ADAAA, the court pays the costs associated with accommodations that are provided to the person with the disability. This includes, for example, the cost of providing sign language interpreters or computer assisted real-time transcription for persons who are deaf or who have a hearing impairment.

Who qualifies for accommodations?

A person with a disability may receive an accommodation (such as: sign language interpreters, assistive listening devices) if the individual has a physical or mental impairment that substantially limits one or more major life activities, has a record of such impairment, or is regarded as having such an impairment. Major life activities include and are not limited to caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working.

How do I get an accommodation?

You must notify the court or program that you need a disability related accommodation and suggest the accommodation that best suits your situation. If you do not request an accommodation, the court is not required to provide one. A request for an accommodation may be made at any time. It is best, however, to make the request as far in advance as possible in order to allow time to review your request and to make arrangements for a required accommodation. Please allow 10 days to consider your request and make arrangements, but make the request as soon as you know that you will need an accommodation. Requests for accommodations may be oral or in writing. You may request an accommodation by contacting the ADA Coordinator.

John Schlageter
429 N. Michigan, Ste. A
Toledo, OH 43604
419-213-6828
jschlageter@co.lucas.oh.us

Judiciary / ADA Accommodations

If you are unable to fill out the form, you may request a clerk or other court personnel to assist you in writing down the information. The ADA Coordinator will act as the facilitator for your request. In most circumstances you will not need to provide additional medical information, but the court may request supporting documents in order to make a decision.

Sometimes the ADA Coordinator and/or court clerk do not have the authority to grant or deny the request for accommodation. For example, a request to continue a hearing or appear by telephone should be directed to the judge who is in charge of the case. The clerk or ADA Coordinator may request that you file a motion with the court rather than fill out the request for accommodation form.

Do I need to provide verification of my disability?

A request or motion for accommodation that includes a description of the nature of your disability, e.g., loss of hearing, is generally sufficient, and it is not necessary to submit documentation of the disability. However, you may be asked to provide additional information if the nature of the disability is not clear or if it is necessary to determine an appropriate accommodation.

What kinds of accommodations are available?

Accommodations may include:

- making reasonable modifications to policies, practices, and procedures
- relocation of a service or program to an accessible site
- providing auxiliary aids and services.

Required accommodations do not include:

- attorney services or legal research and advice
- personal equipment or services such as wheelchairs, hearing aids, personal attendant care, transportation or lodging
- accommodations that impair the neutrality or functioning of the court, such as continuing matters indefinitely.

May I bring a Service Animal?

People with disabilities are allowed to bring their service animals into all areas where court clients are usually allowed to go. Service animals will be allowed access to judiciary proceedings, facilities, activities, services, and programs. Service animals must meet the standards provided under either the Americans with Disabilities Act or the Ohio Administrative Code and must perform tasks that relate directly to the disability in order to qualify as a service animal. **The provision of emotional support or comfort is not covered by this definition.** Judiciary staff and/or security staff may ask

the following questions to determine if the animal is a service animal or a pet: 1) is the animal a service animal required because of a disability? and 2) what work or task has the service animal been trained to perform? The Judiciary may exclude any service animal when the animal is out of control and the animal's handler does not take effective action to control it (for example, a dog that barks repeatedly in court) or request the removal of any service animal that is not housebroken (for example, a dog that urinates on the floor). You are not required to notify the court in advance if you use a service animal.

When should I ask for an accommodation?

A request for an accommodation may be made at any time. It is best, however, to make the request as far in advance as possible in order to allow time to review your request and to make arrangements for a required accommodation. Please allow 10 days to consider your request and make arrangements, but make the request as soon as you know that you will need an accommodation.

May the court deny my request for an accommodation?

The court may deny your request if the request is for a personal or individually prescribed device (such as hearing aids or a wheelchair), or if the modification will fundamentally alter the nature of the service, program, or activity of the court or program (such as providing an attorney for a party with a disability when one would not be provided for another party) or if it would pose an undue administrative or financial burden to provide the accommodation (if the proposed accommodation so expensive or time-consuming as to be unreasonable). The court may also deny your request if it would be inappropriate in the course of the litigation. If you disagree with the denial of your request, you may submit a complaint.

If the court suggests a different accommodation, do I have to accept an alternative accommodation?

The court is required to find an accommodation that will effectively allow full participation in the court proceedings, program, or activity. Determining an appropriate accommodation requires an interactive process between you and the **ADA Coordinator** during which your input and suggestions are welcome and important. However, the accommodation provided may not necessarily be your first choice. The court may offer a different or alternative accommodation. For example, if a juror is blind and requests written material introduced at trial to be transcribed in Braille, the court may consider alternatives such as providing a reader or tape recorded transcript of the written material.

How do I file a complaint if I am not satisfied with the accommodation?

You may fill out an ADA Grievance Form available from the ADA Coordinator. The Grievance will be considered by the Administrative Judge of the Domestic Relations Division or his or her designee.