

## COMPLAINT PROCEDURE UNDER THE AMERICANS WITH DISABILITIES ACT FOR ADMINISTRATIVE ACCOMMODATIONS<sup>1</sup>

This process is established to meet the requirements of the Americans with Disabilities Act (ADA) to address complaints concerning the services, programs and activities of the Judicial Branch. Any person who believes that a reasonable administrative accommodation<sup>2</sup> has not been provided that would permit the person to fully participate in, or receive the benefits of, the services, programs or activities of the Judicial Branch, may file a complaint under this process.

### Complaint Procedure:

1. The complaint must be in writing and filed with the Director of the Human Resource Management Unit no later than ten (10) days after the act or decision that forms the basis of the complaint, unless, for good cause shown, the ten (10) day period is extended by the Director of the Human Resource Management Unit. The complaint shall be submitted to: Director, Human Resource Management Unit, 90 Washington Street, Hartford, Connecticut, 06106 or submitted via email to [ADAComplaint@jud.ct.gov](mailto:ADAComplaint@jud.ct.gov). Alternative means of filing a complaint, such as a recording of the complaint, will be made available for a person with a disability upon request by calling 860-706-5280.
2. Each complaint must be dated and must contain the full name and address of the person filing the complaint. The complaint must contain a description of the alleged discriminatory act or decision, including relevant dates and locations, if applicable. All documents that relate to the complaint or the names and contact information of witnesses must also be submitted with the complaint. The complaint should also state the desired remedy or solution requested.
3. The Director of the Human Resource Management Unit, or designee,<sup>3</sup> shall promptly review all complaints filed under this procedure.
4. The Director of the Human Resource Management Unit shall obtain any and all information or documents that were submitted with the request for accommodation or that relates to the complaint or to the decision that forms the basis for the complaint.

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<sup>1</sup> This procedure does not apply to judicial accommodations. Judicial accommodations are requests that impact court process or the judge's control of their courtroom. They include, but are not limited to, requests for a continuance, extensions of time or adjournments, to participate in a proceeding via videoconference or teleconference, to modify the way testimony is to be given, to take frequent breaks during court proceedings, or to be permitted to remain seated during a proceeding, and can only be granted by a judge. If an individual believes that a judicial accommodation request was improperly denied, the appropriate remedy is to file an appeal with the Appellate Court.

<sup>2</sup> An administrative accommodation is an accommodation request for the provision of an aid or service. Examples of administrative accommodations include, but are not limited to, requests for assistive listening devices, sign language services, Communication Access Realtime Translation (CART) services, audio recordings, document remediation, and in most instances, a support person.

<sup>3</sup> Hereafter "Director of the Human Resource Management Unit."

5. Within ten (10) days of receiving the complaint, the Director of the Human Resource Management Unit shall consider the information and documents submitted. If it is determined that the information submitted is insufficient, the Director of the Human Resource Management Unit may request, obtain and consider additional information that is deemed necessary to a full and fair determination of the complaint.

6. If, after consideration, the Director of the Human Resource Management Unit concludes that there is insufficient information to sustain the complaint, the complaint shall be dismissed. The Director of the Human Resource Management Unit shall advise the complainant in writing or, where appropriate, in a format accessible to the complainant, of the dismissal of the complaint and of the federal and state agencies available should the person wish to pursue the matter further. To the extent possible, any decision shall be made within thirty (30) calendar days from the date the complaint was filed.

7. If, after consideration, the Director of the Human Resource Management Unit concludes that there is reason to believe that a reasonable administrative accommodation was not offered or provided, the Director of the Human Resource Management Unit shall promptly attempt to resolve the complaint with the person who filed the complaint. To the extent possible, any decision shall be made within thirty (30) calendar days from the date the complaint was filed. If the Director of the Human Resource Management Unit is able to resolve the complaint, the resolution shall be set forth in writing and sent to the complainant. If the Director of the Human Resource Management Unit is not able to resolve the complaint, the Director of the Human Resource Management Unit shall advise the complainant, in writing, of the offers that have been made to resolve the complaint and of the federal and state agencies available should the person wish to pursue the matter further.

8. The Director of the Human Resource Management Unit may seek advice from the Legal Services Unit in the performance of their duties under this procedure.

9. The Judicial Branch is committed to preserving confidentiality. Except as otherwise required by law, including but not necessarily limited to, a court order, lawful subpoena or the Freedom of Information Act or other statute, information and records provided as part of a complaint filed under this process will be discussed and disclosed only as necessary to conduct a complete investigation and render a decision, including discussion of possible resolutions. The complaint and any material gathered as a result of the complaint will be retained in the Human Resource Management Unit a minimum of three (3) years from the date of the final resolution of the complaint unless the complainant pursues the matter further.

10. Every effort will be made to comply with the time limits contained herein. Complex investigations or the absence of witnesses may cause necessary delay. The procedures and time limitations herein are to be liberally construed to provide a full review of complaints alleging discrimination or the failure to provide a reasonable accommodation.