

Draft Minutes

The Connecticut Judicial Branch

Advisory Board on the Americans with Disabilities Act

Thursday, Dec. 12, 2013

Bridgeport Juvenile Court, Bridgeport, CT

In attendance: Judge Patrick L. Carroll, Chair; members: Atty. Stephen Ment, Atty. Mark Ciarciello, Atty. Pam Meotti, Atty. Tom Smith, Ms. Mary Sitaro, Atty. Cindy Theran, Atty. Deirdre McPadden, Atty. Eileen Condron, Ms. Christine Elkins.

Members absent: Ms. Sandra Lugo-Gines, who was attending the Branch's "Successful Interactions with People with Hidden Disabilities" training at the Judicial Marshal Academy in Hartford, Ct.

Also present: Atty. Joseph D. D'Alesio, Executive Director, Superior Court Operations Division; Ms. Heather Collins, support staff to the Board; Mr. Daniel Irace, Court Operations.

- I. **Welcome:** Judge Carroll called the meeting to order at 2:05 p.m. and thanked the members for attending.
- II. **Approval of Oct. 1, 2013 Draft Minutes:** The Minutes were provided to the members prior to review at the meeting. A correction was made to one item to correct a word: Plain language, not 'plan' language. Atty. Ment made a motion to approve, seconded by Atty. Smith, motion carried.
- III. **Updates on implementation of the recommendations** made in the [Board's first Annual Report](#) ([Hyperlink to the Board's 2013 Report to the Chief Justice](#)) to Chief Justice Rogers:
 - A. **Website: Online Resource Information:** Atty. McPadden, who oversees the Judicial Branch's Law Libraries Unit, presented to the Board a 4-page list of resources for people with disabilities. The Resource page was compiled by law librarians, who worked with the Branch's internal Web Board and its Chair, External Affairs Ex. Dir. Atty. Melissa Farley. The Resource page includes internal, i.e., Judicial Branch resources, and external, non-Judicial resources. Fellow Board members thanked Atty. McPadden for her and her staff's work on the pages. Atty. McPadden will notify Atty. Farley of the Board's approval and ask that the Resource page be posted as soon as possible, linking from the main ADA page on the internet ([Hyperlink to the Branch's ADA Homepage](#))

- **Website: IT Developments:** Ms. Sitaro notified the Board that the Branch has adopted and posted a [Website Accessibility Policy, \(Hyperlink to the Judicial Branch Website Accessibility Policy\)](#) , which is based on the federal standard, Section 508. Although the Judicial Branch is not required to comply with Section 508, as its applicability is to the federal government, it has been working consistently to develop ADA-accessible webpages. Furthermore, Ms. Sitaro said, the Branch's IT Division has developed and is implementing a plan to train all IT developers to ensure new pages are accessible from design. The training is also being rolled out to other IT developers across Branch divisions, via the internal Learning Management System, as a webinar. Ms. Sitaro also agreed to look for a simple tutorial on how to create ADA-accessible PDF documents, for Branch staff. This would be very useful for committee and workgroup staff who post Minutes, Agendas, Reports, etc. on behalf of Branch entities.
 - **Website: ADA Comments & Suggestions:** Ms. Collins reported on behalf of Ms. Lugo-Gines that the online box is up and comments are being submitted, however most, if not all of the comments are being submitted by the same people about their particular cases, despite the very clear guidelines that state such commentary will not be accepted or considered by the Board. Such comments are subject to the Branch's Privacy Policy. The Board intends to seek advice from Legal Services on any retention policies for such commentary.
 - **Website:** Mr. Irace reported that Jury Administration has changed the language in the Jury Accommodation form (JD-JA-030) [Hyperlink to the Juror ADA Accommodation Request Form](#) to better represent the Branch's ability to provide reasonable accommodations to jurors with disabilities who would like to complete their jury service. The FAQ page of the Jury website is being updated.
 - **Website:** It was noted that the ADA Notice, telling people about the Branch's compliance and offering the website address for more information on obtaining an accommodation, has been posted at the top of the Internet forms page. This helps ensure that the information is posted in a high-traffic area, even when it is not printed on forms (not all forms have been revised, although as they are, the Notice is added).
- B. Signage:** Atty. Ment said that the Litchfield Judicial District assessment has been completed by members of that JD and of the Access to Facilities Implementation Committee (A2FIC). The assessment revealed that there is no clear signage indicating how a person in a wheelchair should enter the historical Judicial District courthouse on West Street overlooking the town green ([Hyperlink to Directions to the Litchfield Courthouse](#)) Atty. Ment wrote to the district's Historical District commission about the Branch's desire to erect signage regarding the entrance. The Commission has invited Atty. Ment to present to them, at their February meeting, examples of potential signage.
- C. Training:** Service Animals: Ms. Elkins, who is the Court Ops. ADA Contact Person in the Meriden JD/GA, said that a recent issue with a service animal in

the courthouse has brought to light the need to do additional training on what the Act allows. Ms. Elkins, who has a service dog, told the Board that she provides training to others and offered to develop training for Branch staff. Judge Carroll and Atty. D'Alesio said it would be very helpful for the Board to see the training, too, and Judge Carroll asked Ms. Elkins to provide training at the Board's next meeting. Ms. Elkins is going to coordinate with Ms. Lugo-Gines on training aspects. Judge Carroll also suggested that the Branch should develop a clear policy on service dogs, so that all Branch staff are aware of the protections afforded by the Act. According to the Department of Justice ([Link to the Justice Department Service Animal Guidelines](#)): **When it is not obvious what service an animal provides, only limited inquiries are allowed. Staff may ask two questions: (1) is the dog a service animal required because of a disability, and (2) what work or task has the dog been trained to perform. Staff cannot ask about the person's disability, require medical documentation, require a special identification card or training documentation for the dog, or ask that the dog demonstrate its ability to perform the work or task.** Judge Carroll also suggested that the Branch might want to do outreach or training on service animal guidelines, with public defenders and state's attorneys who share courthouse space with the Judicial Branch.

- **Training:** Mr. Irace presented the Board with copies of a PowerPoint presentation, "The Nuts & Bolts of the ADA", that he and Ms. Lugo-Gines are presenting to ADA Contacts and interested Branch staff. The training covers the origins of the Act, the Branch's requirements under Title II, and the services that the Branch can provide to the public as reasonable accommodations.
- **Training:** Mr. Irace said that he recently attended the Legal Exchange program in the Windham JD, which is an opportunity for members of the Bar to meet with judges and Branch staff and to hear about various Branch programs, Rules changes, etc. He will contact the Chief Clerks, who design the programs, to gauge their interest in having a brief ADA presentation at each of the Legal Exchanges, which are held annually in every Judicial District. The Board members are also encouraged to attend the programs.
- **Training:** Atty. Theran said that she is coordinating with the CSSD training director to ensure that the "Successful Interactions with People with Hidden Disabilities" training is attended by the Division's Chief Probation Officers in January, and by other probation officers thereafter. The training, which is open to all Branch staff, will continue through the fall of 2014.
- **Training:** Ms. Collins reported that Ms. Lugo-Gines and Atty. Finn will next week conduct training on the Act, and its applicability to the rules of mediation, to the Branch's foreclosure mediators.

D. Facilities: Atty. Ciarciello noted that two public restrooms, on the third and fifth floors of the New Haven Judicial District, are going to be rehabilitated to

comply with the ADA. Changes will be made to doors, grab bars added, and other features changed.

- **Facilities:** Mr. Irace told the Board that he and Ms. Lugo-Gines attended a workshop in Boston, put on by the New England ADA Center, on how to read architectural plans for ADA compliance. The Board then generally discussed the Branch's plans to build a new courthouse in the Torrington area. It was suggested that the Board would like to speak to whatever architect or design firm is chosen to voice the members' support for ADA compliance as required by the Act.

E. Outreach: Ms. Collins reported that she continues to distribute the electronic monthly E-News You Can Use to all ADA Contacts, Executive Directors, and Chief Clerks.

IV. Updates from members on status of wheelchair policy: Wheelchairs are an item or device of a personal nature and are not required to be provided to the public under Title II. However, incarcerated defendants who are in the custody and care of the Judicial Branch are subject to protections outside of Title II, including those by the Department of Correction. The Board agreed that the Legal Services Unit should develop a policy that will articulate the Branch's obligations with respect to the non-incarcerated public. Further, the Judicial Marshal Services should work with its Legal Services attorney advisor to clarify its wheelchair use policy.

V. Any other business: Atty. Smith reported that he recently received an inquiry from a Probate Court employee on providing an accommodation. There are 54 probate courts, which have jurisdiction over the estates of deceased persons, testamentary trusts, adoptions, conservators, commitment of the mentally ill, guardians of the persons, and estates of minors. The courts are typically located in town halls and other municipal buildings. Judge Carroll suggested that Superior Court Operations ADA Coordinator Ms. Lugo-Gines should be asked to contact the Probate Court Administrator Paul Knierim to share information on providing accommodations under Title II.

VI. Schedule next meeting: The next meeting will be in early March 2014, at a date, time, and location to be determined. A notice and agenda will be posted on the Board's website closer to the date.

VII. Adjourn: The meeting was adjourned at 3:00 p.m.