

## MINUTES

Advisory Board on the Americans with Disabilities Act  
**Tuesday, November 4, 2014**  
**10 a.m.**  
**Community Court, 80 Washington Street**  
**Hartford, CT**

**In attendance:** Chief Court Administrator Judge Patrick L. Carroll, Chair; members: Atty. Mark Ciarcello, Ms. Christine Elkins, Ms. Sandra Lugo-Gines, Atty. Deirdre McPadden, Atty. Tom Smith, Ms. Mary Sitaro, Atty. Cindy Theran. Legal Services Attorneys Maureen Finn and Viviana Livesay. **Members absent:** Atty. Eileen Condron, Atty. Pam Meotti.

**Also present:** Deputy Chief Court Administrator Judge Elliot N. Solomon, Superior Court Operations Executive Director Attorney Joseph D. D'Alesio; Court Operations Deputy Director Atty. Richard Loffredo; Administrative Services Division Deputy Director Ron Macchio; Court Planner Emily Turnbull; Mr. Daniel Irace, Court Planner; and Ms. Heather Collins, Court Planner and Support Staff to the Board.

- I. Welcome** by Judge Carroll , who thanked Judge Solomon and the guests for attending.
- II. Approval** of Minutes of the July 8, 2014 meeting: The Minutes were approved with a correction: Atty. Poncini was not at the July meeting. Ms. Collins will correct the error.
- III. 2014 Annual Report to Chief Justice Chase T. Rogers:**
  - a) Judge Carroll read the Board a note from Chief Justice Rogers, thanking the Board for its work on [the 2014 Annual Report](#), and taking notice of the many initiatives in furtherance of the ADA that have been implemented since the Strategic Plan's 2008 release.
  - b) Ms. Collins noted that the Annual Report to the Chief Justice was posted to the Board's webpage, and distributed to all board members and ADA Contacts by email. Judge Carroll also emailed more than 30 state Bar association leaders with a copy of the report.
- IV. Update on Signage: Ms. Lugo Gines and Atty. Ment:**
  - a) Two new signs are in the process of being posted in the public areas of the Judicial Branch: a pro-active "accessibility" sign that informs the public that the Branch has a variety of auxiliary aids and services available for people with disabilities, and to ask a Clerk for assistance; and a sign noting that, under the ADA, Service Animals are welcomed inside Branch facilities.
- V. Update on Survey questions: Ms. Lugo Gines:**
  - a) Ms. Lugo Gines is working with Superior Court Operations managers to develop a survey that will be distributed to people who make an ADA accommodation request. The purpose of the survey is twofold: to measure whether court users find the request for accommodation process acceptable; and to determine the level of satisfaction with services/aids that are provided. The Board reviewed the survey, which is still in draft form, and agreed that it is a good idea in furtherance of performance measures.

The anonymous survey will likely be distributed to those who ask for a Request for Accommodation form; those users will likely be able to give the form to a clerk or other staff member or have the option of mailing it back to the Branch. Once the survey is completed and the method of collection determined, it will be piloted in a still-to-be-determined judicial district.

**VI. Update on the development of a policy for Judicial Marshal Services on prisoners with disabilities: Ms. Collins:**

- a) Legal Services Unit Attorney Denise Poncini worked with Judicial Marshal Services to update the JMS ADA policy, which now includes language specific to prisoners with service animals. The policy was approved by JMS Director O'Donovan Murphy, and he distributed it to all Chief Judicial Marshals for dissemination in their judicial districts. After consulting with the DOJ, it was determined that the Branch, due to security concerns and the limitations of the ADA, does not have to accommodate service animals for incarcerated defendants. The language on service animals reads: *In order to maintain the security and safety of staff and prisoners in the custody of the Judicial Branch, service animals will not be permitted in secure (locked) areas of Judicial Branch facilities. Such an accommodation would fundamentally alter the Judicial Branch's security protocols and compromise prisoner, staff, and facility security, and require staff to provide care for a service animal, in violation of the ADA.*

**VII. Update on JDP-ES-221, Notice Under the ADA**

- a) Attorneys Finn and Livesay updated the Branch's official [ADA Notice, JDP-ES-221](#), to clarify that under Title II of the ADA, the Branch does not provide items of a personal nature, such as wheelchairs. Specifically, the policy now says: *The ADA does not require the Judicial Branch to provide services or devices of a personal nature, such as wheelchairs or other mobility devices, or legal representation, secretarial services, and transportation; nor to take any action that would fundamentally alter the nature of its programs or service or impose an undue financial or administrative burden.*

**VIII. Update on training, per Annual Report recommendations**

- a) **Existing training: Ms. Lugo Gines, Ms. Collins, and Mr. Irace** provided updates to the members on the numbers of Judicial Branch staff who have completed a range of training, including: *Successful Interactions with People with Hidden Disabilities* training (701); *Nuts & Bolts of the ADA*, (181); *Service Animals 101* (274), and *informal roundtable sessions on the ADA* (237). More than 60 people have completed the online [ADA Overview of Disability Rights Law](#), from the New England ADA Center.
- b) **Completed training:** The *Successful Interactions with People with Hidden Disabilities* course has ended. The daylong training was primarily funded through a grant from the State Justice Institute.
- c) **Ongoing training:** Currently, sessions of *Service Animals 101*, which is taught by Ms. Elkins and facilitated by Ms. Lugo Gines and her staff, are scheduled for nearly every Friday through the end of the calendar year. Further, it is anticipated

that the training will be ongoing thereafter. With Judge Carroll's approval, the training will also be scheduled for incoming members of the Bench, at the end of November. Further, Ms. Lugo Gines will work with Judge Support Services to offer the SA101 training to Judges. She also noted that the *Nuts & Bolts of the ADA* training is scheduled in December and will continue to be presented regularly to staff from all Divisions. Also, the informal roundtable discussions are ongoing, and presented as requested to any Branch unit or Division. Currently, the program has been presented in 11 of 13 judicial districts.

- d) **New training:** Ms. Lugo Gines advised the Board that the Branch's Superior Court Operations Division's grants unit is in the final preparation stages of applying for a second grant from the State Justice Institute to fund 30 sessions of newly proposed training on helping staff cope with job-related vicarious trauma. The training is designed to be subsequent to the *Hidden Disabilities* training. The SJI awards grants quarterly, and she will let the Board know if the funding is approved. Ms. Lugo Gines and Ms. Collins also told the Board that the training designed for Diversity Week, *Popcorn & Possibilities*, received positive reviews and will now be offered to all Branch staff on a regular basis. The training seeks to dispel myths about living with disability, and to encourage people to explore their understandings, and misunderstandings, of what disability actually means. The training features two videos, including a TED talk by Aimee Mullins, a scholar, Paralympian, and motivational speaker.
- e) **Training Materials:** As the result of a suggestion made by a Judicial Marshal at *Service Animals 101* training, the Branch designed, printed and distributed business-sized cards to all Chief Judicial Marshals, Court Service Center and Public Information Desk staff members, and law librarians. The cards are also given to each person who completes the training. The card states the two questions allowed under the ADA, as well as contact information for staff that may have questions about the law. On a side note, the Law Libraries Webpage this summer compiled an entire page dedicated to laws surrounding service animals. The page is located at <http://jud.ct.gov/lawlib/Law/serviceanimals.htm>

#### **IX. ADA Equipment Survey: Sandra:**

- a) The Branch has a number of **onsite auxiliary aids**, including pocket talkers and FM kits. Ms. Lugo Gines worked with a Court Ops facilities staff person to conduct an inventory and questionnaire of equipment condition, via an emailed survey. The survey results indicated that there are some minor equipment issues; Ms. Lugo Gines is working with Director Atty. Richard Loffredo to prioritize the needs and begin the repair/replacement process.
- b) Ms. Collins reported that the Branch purchased 250 **Emergency Sign Language guides** for staff, from the Rocky Mountain ADA Center. The guides are not a substitute for effective communication, as required by the ADA, for deaf or hard of hearing people, but can, in a true emergency, allow a person the ability to communicate with Branch staff until a sign language interpreter can be secured. The guides have been distributed to Chief Clerks, Court Service Center and PID staff, and law librarians.

**X. Distribution of Report Recommendations, for implementation:**

- a) The Board discussed a number of non-training recommendations, but did not vote on any distribution. It was noted that a meeting between Superior Court Operations Division and the Administrative Services Division executive directors and managers was scheduled for later in the week, after the meeting, to discuss facilities-specific recommendations.
- b) **Recommendation No. 2** states: *Online parking info for jurors should include wayfinding and distances between parking lots and public entrance.* : Attorney Ment is Chair of the Branch's Access to Facilities Implementation Committee, and he told the Board that virtually all online Directions and General Information pages have been updated to include an expanded amount of information. The thought behind this recommendation is to provide information that is more specific for jurors so that those with mobility issues can be prepared. Ms. Collins will provide Attorney Ment with additional information on this recommendation, and **recommendation No. 3**, which states: *The Branch should consider posting way-finding signage between elevators and/or stairs that also indicates distances; consider posting information about accessibility features of public facilities on the Directions pages of each of the public facilities. For example, buildings that have elevators; the locations of publicly available, accessible restrooms and other relevant public areas,* and **recommendation No. 4, Parking signage**: *posting signage in its jury parking lots that provide information for use by jurors with a communication disability who are unable to enter unattended juror parking areas.*

**XI. Schedule next meeting:** The Advisory Board will meet in its next quarterly meeting in January or February 2015, depending on weather. A Meeting Notice and the Agenda will be posted on the Board's

wepage, [http://jud.ct.gov/Committees/pst/Advisory\\_ADA/default.htm](http://jud.ct.gov/Committees/pst/Advisory_ADA/default.htm)

**XII. Adjournment:** The meeting adjourned at 10:45 a.m.