

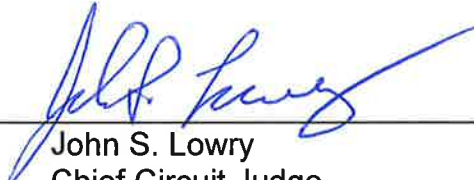
**STATE OF ILLINOIS
IN THE CIRCUIT COURT OF THE 17TH JUDICIAL CIRCUIT
COUNTY OF WINNEBAGO
COUNTY OF BOONE**

ADMINISTRATIVE ORDER 2024-39

Pursuant to the Illinois Supreme Court Policy on Access for Persons with Disabilities (M.R. Order 25307); IT IS HEREBY ORDERED that the following Policy on Access for Persons with Disabilities is hereby adopted as the Policy of the 17th Judicial Circuit Court, and is effective immediately.

This order supersedes Administrative Order 2018-23 adopted on November 6, 2018.

ENTER: _____



John S. Lowry
Chief Circuit Judge
17th Judicial Circuit Court

DATED: _____

10/2/27

**ILLINOIS SEVENTEENTH JUDICIAL CIRCUIT COURT
COUNTIES OF WINNEBAGO AND BOONE**

POLICY ON ACCESS FOR PERSONS WITH DISABILITIES

I. Introduction

The 17th Judicial Circuit Court (Court) is committed to ensuring equal access to all court facilities, hearings and proceedings, activities, services, communications, and programs (collectively referred to as court activities) for people with disabilities and to maintaining an environment in which all people, including those with disabilities, are treated with dignity, respect, and courtesy.

Pursuant to the provisions of Americans with Disabilities Act (ADA) and Illinois Human Rights Act (IHRA), the Court has adopted the following policy and procedures to ensure physical access, reasonable accommodations, accessibility aids, and services to persons with disabilities who wish to access and participate in court activities.

For purposes of this policy, disability means a physical or mental characteristic that substantially limits one or more major life activities. As defined in the ADA and the IHRA, a person with a disability may:

- have an actual disability;
- have a record of a disability or
- be regarded as having a disability.

The definition of disability shall be construed broadly in favor of expansive coverage, to the maximum extent permitted by the terms of the ADA and the IHRA.

II. Policy

It is the policy of the Court to ensure people with disabilities have full and equal access to participate in court activities and receive accommodations consistent with the requirements of Title II of the ADA and the IHRA. Court will provide, free of charge, physical access, reasonable accommodations, accessibility aids, and services to ensure that people with disabilities have an equal opportunity to participate in and benefit from any court activities. This policy applies to all members of the public who seek to participate in, observe, or interact with court activities, including court users, lawyers, jurors, court observers, and their companions, support workers, care or assistance providers or coordinators, and family members.

III. Court Disability Coordinators (CDC)

Deputy Court Administrator Michael Smith is appointed to serve as its Court Disability Coordinator (CDC). Contact information:

Michael Smith
Deputy Court Administrator
Court Administration Office
400 West State Street, Room 215
Rockford, Illinois 61101

Phone: (815) 319-4806
Email CDC@17thcircuit.illinoiscourts.gov

The CDC shall coordinate efforts to comply with and carry out the Court's responsibilities under the ADA, the IHRA, the Illinois Supreme Court Policy on Access for People with Disabilities and this policy. Specific duties include:

- receive and process accommodation requests from and on behalf of persons with disabilities, judges, and other court personnel pursuant to the procedures outlined in Section V of this policy in consultation with the Chief Judge of the Circuit;
- receive and process grievance requests from persons with disabilities pursuant to Section VII of this policy;
- convey accommodation requests for persons with disabilities to the appropriate judge or court personnel;
- convey only necessary information related to accommodation requests for persons with disabilities to the appropriate judge or court personnel and take care to protect that information from distribution to other individuals;
- receive regular training from the Illinois Office of the Attorney General Disability Rights Bureau and the Access to Justice Division of the Administrative Office of Illinois Courts (AOIC); and
- where appropriate, investigate communications to the court alleging noncompliance with the ADA or IHRA, or alleging any court actions that may be prohibited by the ADA, IHRA, or this policy.

IV. Accommodations, Accessibility Aids, Services, Devices and Technology

A reasonable accommodation is a modification in policies, practices, or procedures when the modification is necessary to avoid discrimination on the basis of disability and is necessary to accommodate a person with a disability. Examples of accommodations, accessibility aids, services, devices, and technologies for people with disabilities (herein after accommodations) include, but are not limited to:

- court documents made available in large-print, Braille, or another accessible format for court users who have visual disabilities;
- access for service animals (dogs and miniature horses) to court facilities;
- assistance completing and filing forms and other court documents;
- qualified sign language interpreters;
- assistive listening devices, Communication Access Real Time Transcription (CART captioning); and low vision aids;
- permitting companions, support workers, care or assistance providers or coordinators, and family members to accompany, support, and assist people with disabilities.

V. Notice of Accommodations

Notice that accommodations are available shall be posted in accessible locations within all court facilities near public entryways and offices that are open to the public (see attached Exhibit A). Further, the notice shall be published on the Court's website and the respective websites of the Winnebago County Circuit Clerk and the Boone County Circuit Clerk.

VI. Requests for Accommodation

Persons who wish to request accommodations shall be provided with a Request Form, attached as Exhibit B. This request form is available from the CDC, the Court's Administrative Office, on Court's website and from the respective offices and websites of the Winnebago County Circuit Clerk and the Boone County Circuit Clerk. Notwithstanding this provided request form, requests may be submitted in any form, written, verbal, email or other submission process (completion of the request form is not required).

Accommodation Requests should be directed to the CDC by mean of the contact information provided in Section III above. Other court personnel may take receipt of an accommodation request and convey the request to the CDC. If the request does not include enough information, the CDC may ask for additional information to the extent necessary to establish that a reasonable accommodation is related to the need of the person with the disability.

Whenever possible, a request for accommodation or services should be made ten (10) business days in advance of the court activity. The court shall make reasonable efforts to honor an accommodation request whenever it is received, even if it is not ten (10) business days in advance of the court activity. If the court receives an accommodation request that cannot be fulfilled in advance of the court activity, the court may continue, extend, or reschedule it in order to accommodate the request.

The CDC shall respond in both writing and in the format accessible to the person making the accommodation request within at least seven (7) business days from the date the request was received or sooner as the circumstances dictate. The CDC will give primary consideration to the request of the individual with a disability. Any response to a reasonable accommodation request shall inform the person making the request of the grievance procedure described below.

While courts in general are often perceived as a singular public entity, judicial systems are in fact an assemblage of multiple public entities. The Court may not be the proper public entity to address certain requests. The Court may not have the unilateral authority to grant certain requests. The CDC shall as necessary bring accommodation requests to the attention of other public entities in those instances where:

- A request seeks a service or accommodation from a public entity other than the Circuit Court; and
- A request involves an area of shared responsibility between the Circuit Court and another public entity.

VII. Denying an Accommodation

The CDC may deny a request for an accommodation for the following reasons:

- 1) The requested accommodation(s) would create an undue financial or administrative burden on the Circuit Court; or
- 2) The requested accommodation(s) would fundamentally alter the nature of a service, program or activity.

Further, The CDC may defer a request for an accommodation for determination by the judge presiding over relevant court proceeding(s). As a per se fundamental alteration of the conduct of court proceedings, the CDC is not authorized to administratively approve an accommodation request if it would procedurally or substantively affect a court proceeding, as doing so would infringe upon the due process rights of other parties involved in the litigation. Decisions to alter the actual conduct of subject court proceedings will be made of record by the judge presiding over the relevant court proceeding(s). The presiding judge is best positioned to decide how to address accommodation needs and properly administer and oversee rulings that alter the conduct of court proceedings.

VIII. Grievance Procedure

Individuals may file a grievance when they believe the Court and/or its employees have not complied with the provisions of this policy, the request for accommodations procedure, the ADA, or the IHRA. A grievance may be filed at any time, but to address the issue in a timely fashion, it should be made within fifteen (15) business days after the person filing the complaint becomes aware of the action or inaction. While the grievance is being resolved, the person may request a stay of court proceedings or the court may enter a stay of court proceedings.

Persons who wish to submit a grievance shall be provided with a Grievance Form, attached as Exhibit C. This Grievance form is available from the CDC, the Court's Administrative Office, on Court's website and from the respective offices and websites of the Winnebago County Circuit Clerk and the Boone County Circuit Clerk. Notwithstanding this provided grievance form, grievances may be submitted in any form, written, verbal, email or other submission process (completion of the grievance form is not required).

Grievance forms should be directed to the CDC by mean of the contact information provided in Section III above. Other court personnel may take receipt of a grievance and convey the request to the CDC.

Within ten (10) business days after receipt of a grievance, the CDC or a designee may meet with the person submitting the grievance, either in person, by video, or by telephone, in a format accessible to the person submitting the grievance to discuss the complaint and possible resolutions, if the CDC or designee decides such a meeting would be helpful to a determination. Within ten (10) business days after the meeting, or within twenty (20) business days after receipt of the grievance if there is no meeting, the CDC shall respond in writing, and in a format accessible to the person submitting the grievance. Any response to a grievance shall inform the person making the grievance of the appeal procedure described below.

IX. Appeal Procedure

If the response by the CDC does not satisfactorily resolve a grievance, an individual may appeal the grievance decision to the Chief Judge of the 17th Judicial Circuit Court.

To address the issue in a timely fashion, the appeal should be made within fifteen (15) business days of the date of the CDC's written response. While the appeal is being resolved, the person may request a stay of court proceedings or the court may enter a stay of court proceedings.

Persons who wishing to pursue an appeal shall be provided with an Appeals Form, attached as Exhibit D. This appeal form is available from the CDC, the Court's Administrative Office, on Court's website and from the respective offices and websites of the Winnebago County Circuit Clerk and the Boone County Circuit Clerk. Notwithstanding this provided appeal form, appeals may be submitted in any form, written, verbal, email or other submission process (completion of the appeal form is not required).

Within twenty (20) business days after receipt of the appeal, the applicable Chief Judge (or their representative), will respond with a final resolution of the grievance in writing and in a format accessible to the person submitting the grievance.



Court Disability Coordinator Contact Info

Name: Mike Smith

Address: 400 W. State Street, Ste 215

Rockford, Illinois 61101

Phone Number: 815-319-4806

Email: CDC@17thcircuit.illinoiscourts.gov



Do you need help accessing court because of a disability?

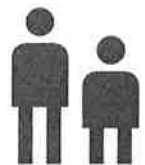
Illinois courts are committed to removing barriers that prevent the full and meaningful participation of anyone with a disability in the court system.

For help or information, contact the above Court Disability Coordinator.



Help for people with disabilities is available. This may be:

- Qualified sign language interpreters, assistive listening devices, video phone, and CART captions
- Documents made available in large-print or Braille
- Access for service animals (dogs and miniature horses)
- Help completing court documents
- Allowing companions, support workers, care providers, and family members



Requests may be made by any means (for example, in writing or verbally). For faster responses, you are encouraged to make your request to the Court Disability Coordinator.



Request and grievance forms are available through the Court Disability Coordinator and by visiting: <https://bit.ly/access17> or 17thcircuit.illinoiscourts.gov



AMERICANS WITH DISABILITIES ACT ACCOMMODATION REQUEST FORM FOR ILLINOIS COURTS



1. Who are you?

Name of person accommodation is for: _____
First and Last Name

Court case number (if known): _____

Role at court:

- Party to a case (petitioner/plaintiff, respondent/defendant, etc.)
- Witness
- Juror
- Lawyer
- Court observer
- Companion (support worker, care or assistance provider, family member)
- Other: _____

Contact person (if different from above): _____
First and Last Name

Address: _____
Street Address, Apt. #, City, State, Zip Code

Phone number: _____ Email address: _____

Best way to reach you?

- Phone call
- Text message
- Email
- Other _____



2. What is your accommodation request?

An **accommodation** helps people with disabilities participate at court. *Use this section to describe the type of help you need at court because of a disability.*

I am requesting (check the box for any accommodations you are requesting. If you select "something else" you must list additional information about the request):

- Qualified sign language interpreter
- Communication Access Real Time Transcription (CART captions)/Assistive Listening Device (ALD)

- Help completing documents
- Extended time
- Change to location of court activity
- Access for my service animal (dog or miniature horse)
- Court documents in large print/Braille
- Something else. Describe the accommodation you need or provide additional information about your request here:



3. When & where do you need an accommodation?

Date(s)/time accommodation is needed (if known): _____

Will this accommodation be requested:

- One time
- Ongoing

Location where accommodation is requested (including courthouse name, address, room (for example, clerk's office, jury room, remote courtroom), and any other information you know:



4. Next steps

You may submit this request to any court personnel. We encourage submissions to the Court Disability Coordinator:

For courts to fill out before distributing.

Name: _____

Address: _____
Courthouse Address, Office #, City, State, Zip Code

Phone number: _____ Email address: _____

OFFICE USE ONLY

Accommodation: _____ Granted Denied

Requestor notified on: _____ Via: _____

Comments:



AMERICANS WITH DISABILITIES ACT GRIEVANCE FORM FOR ILLINOIS COURTS

You have the right to file a grievance. A **grievance** is a formal complaint that you were not given the accommodations you needed under the Illinois Supreme Court Disability Access Policy (Policy), the Americans with Disabilities Act (ADA), or the Illinois Human Rights Act (IHRA). This grievance may be filed at any time, but the court may move forward with your case if you do not submit your grievance within fifteen (15) business days after you become aware of the alleged violation.



1. Who are you?

Name of person with the grievance: _____
First and Last Name

Court case number (if known): _____

Role at court:

- Party to a case (petitioner/plaintiff, respondent/defendant, etc.)
- Witness
- Juror
- Lawyer
- Court observer
- Companion (support worker, care or assistance provider, family member)
- Other: _____

Contact person (if different from above): _____
First and Last Name

Address: _____
Street Address, Apt. #, City, State, Zip Code

Phone number: _____ Email address: _____

Best way to reach you?

- Phone call
- Text message
- Email
- Other: _____



2. What happened?

A. I asked for (check the box for any accommodations you requested. If you requested "something else" list additional information about the request):

- Qualified sign language interpreter
- Communication Access Real Time Transcription (CART captions)/Assistive Listening Device (ALD)

- Help completing documents
- Extended time
- Change to location of court activity
- Access for my service animal (dog or miniature horse)
- Court documents in large print/Braille
- Something else. Describe the accommodation you requested or additional information you provided:



3. When & where were you not given the accommodation you requested?

Date(s) denial of accommodation occurred (if known): _____

Location where the denial occurred (including courthouse name, address, room (for example, clerk's office, jury room, remote courtroom), and any other information you know about the denial or failure to respond to the request:



4. Next steps

Please submit this grievance to the following Court Disability Coordinator:

Name: _____

Address: _____
Courthouse Address, Office #, City, State, Zip Code

Phone number: _____ Email address: _____

For courts
to fill out
before
distributing

OFFICE USE ONLY

Grievance for Accommodation: _____

Original denial stands Hadn't previously decided, will decide now Accommodation granted

Requestor notified on: _____ Via: _____

Comments:



AMERICANS WITH DISABILITIES ACT APPEAL FORM FOR ILLINOIS COURTS

If the response to your grievance does not resolve your issue and you believe the court has violated the Illinois Supreme Court Disability Access Policy (Policy), the Americans with Disabilities Act (ADA), or the Illinois Human Rights Act (IHRA), you can **appeal** the grievance decision. This appeal may be filed at any time, but the court may move forward with your case if you do not submit your appeal within fifteen (15) business days after you receive the grievance decision.



1. Who are you?

Name of person appealing: _____
First and Last Name

Court case number (if known): _____

Role at court:

- Party to a case (petitioner/plaintiff, respondent/defendant, etc.)
- Witness
- Juror
- Lawyer
- Court observer
- Companion (support worker, care or assistance provider, family member)
- Other: _____

Contact person (if different from above): _____
First and Last Name

Address: _____
Street Address, Apt. #, City, State, Zip Code

Phone number: _____ Email address: _____

Best way to reach you?

- Phone call
- Text message
- Email
- Other: _____



2. What happened?

Describe below how the grievance decision violates the Policy or the ADA. You may also attach a copy of the accommodation request form, accommodation request denial, grievance decision, and/or other supporting documentation.



3. When?

Date of grievance decision (if known): _____



4. Next steps

Please submit this form to the following Court Disability Coordinator:

Name: _____

Address: _____
Courthouse Address, Office #, City, State, Zip Code

Phone number: _____ Email address: _____

For courts
to fill out
before
distributing.