

11th Judicial District of Pennsylvania Americans with Disabilities Act (Title II) Policy

It is the policy of the 11th Judicial District to prohibit discrimination against any individual with a disability, as defined by the Americans with Disabilities Act (“ADA”) 42 U.S.C.A. §12131 et seq, in accessing or participating in judicial proceedings or other services, programs, or activities of the 11th Judicial District and the Unified Judicial System.

To facilitate compliance with the aforesaid Policy, the 11th Judicial District has adopted a protocol for the receipt and processing of requests for reasonable accommodations, as well as to resolve any disagreements concerning the need for or nature of accommodations. Attached herewith and included herein, marked Appendix “A” and Appendix “B” are the forms to be utilized.

The District Court Administrator for the 11th Judicial District shall designate a Deputy Court Administrator to act as the American with Disabilities Act Coordinator. That individual shall be identified by name, along with his/her address, telephone number, fax number and email address and this information shall be included in all documents listed on the Court website and posted in a public location in all court-related buildings and Magistrate District Judge offices. The forms requesting accommodations shall be available in all locations. The District Court Administrator shall adjudicate any disagreement between an individual requesting accommodation, concerning the need for or the nature of the accommodation, in accordance with the grievance procedure.

There shall be no charge to the requestor for any expense or cost associated with the accommodation provided.

Americans with Disabilities (Title II) Act Grievance Procedure

This grievance procedure is established for the prompt resolution of complaints alleging any violation of Title II of the Americans with Disabilities Act (ADA) in the provision of services, programs, or activities by the Luzerne County Court of Common Pleas. If you require a reasonable accommodation to complete this form, or need this form in an alternate format, please contact Melissa Schatzel, ADA Coordinator at (570)830-5135.

To file a complaint under the Grievance Procedure please take the following steps:

1. Complete the complaint form and return it to Michael Shucosky, Esq., District Court Administrator, 200 North River Street, Wilkes-Barre, PA 18711. Alternative means of filing complaints will be made available for persons with disabilities upon request. The complaint should be submitted as soon as possible but no later than sixty (60) calendar days after the alleged violation.
2. Within fifteen (15) calendar days of receipt of the complaint, Mr. Shucosky will investigate the complaint, including, meeting with the individual seeking an accommodation, either in person or via telephone, to discuss the complaint and the possible resolutions. Within fifteen (15) calendar days of the meeting, Mr. Shucosky will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio. The response will explain the position of the 11th Judicial District (Court of Common Pleas of Luzerne County) and offer options for substantive resolution of the complaint.
3. If the response to the complaint does not satisfactorily resolve the issue, the complainant may appeal the decision within fifteen (15) calendar days after receipt of the response to the President Judge. Within fifteen (15) calendar days after receipt of the appeal, the President Judge will meet with the complainant to discuss the complaint and possible resolutions. Within fifteen (15) calendar days after the meeting, the President Judge will respond in writing, and, where

appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

This grievance procedure is informal. An individual's participation in this informal process is completely voluntary. Use of this grievance procedure is not a prerequisite to and does not preclude a complainant from pursuing other remedies available under law.

The UJS Policy on Non-Discrimination and Equal Employment Opportunity also encompasses disability-related issues and provides complaint procedures for UJS court users. Any employment-related disability discrimination complaints will be governed by the UJS Policy on Nondiscrimination and Equal Employment Opportunity.

GRIEVANCE FORM

Grievant Information

Grievant Name: _____	Home Phone (include area code): _____
Address: _____	Business Phone (include area code): _____
	Mobile Phone (include area code): _____

Alternative Contact Person (other than Grievant)

Name: _____	Home Phone (include area code): _____
Address: _____	Business Phone (include area code): _____
	Relationship To Client: _____

Court Service, Program or Facility Allegedly in Violation

Date and Location of Alleged Violation (dd/mm/yyyy)

Description of Alleged Violation and Requested Remedy

Has this case been filed with the Department of Justice or other government agency or court?

Yes No

If You Answered "Yes" to the Previous Question, Complete the Following

Agency or Court: _____	Contact Person: _____
Address: _____	Phone (include area code): _____
	Date Filed: _____

Other Comments

Signature: _____ Date: _____