



OPENING THE BENCH AND BAR TO PEOPLE WITH DISABILITIES

Manual for Court Disability Coordinators

Office of the Illinois Attorney General
Lisa Madigan, Attorney General



Dear Court Disability Coordinators,

There are approximately two million individuals with disabilities in Illinois. People with disabilities are entitled by law to fair and equal opportunities in all aspects of their daily lives, including interactions with the legal system.

People with disabilities regularly participate in the legal system—as jurors, witnesses, litigants, attorneys and judges. They also seek legal representation for purposes such as buying a home, obtaining a divorce, drafting a will or planning for retirement. However, in some cases physical or informational barriers keep people with disabilities from taking part in the legal process or obtaining legal representation.

Court Disability Coordinators (CDCs) have been designated in each Judicial Circuit to assist people with disabilities. As a CDC, you have access to a vast array of resources, people and agencies that can help you ensure that the judicial system is accessible to all.

My office's Disability Rights Bureau is proud to provide training and technical assistance to CDCs. I hope you can use the following information to assist you in opening the courthouse doors to people with disabilities.

Sincerely,

A handwritten signature in black ink that reads "Lisa Madigan".

Lisa Madigan
Illinois Attorney General

TABLE OF CONTENTS

1. Key Statutes Governing Court Accessibility for People with Disabilities . . . . .	.1
Americans with Disabilities Act (ADA). . . . .	.1
Illinois Human Rights Act (IHRA). . . . .	.2
Illinois Environmental Barriers Act (EBA). . . . .	.3
2. Determining Who Is a Qualified Person with a Disability. . . . .	.4
Overview . . . . .	.4
Permitted Inquiries . . . . .	.5
3. Ensuring Program Accessibility. . . . .	.6
Overview . . . . .	.6
Requests for Program Accessibility. . . . .	.7
Defenses to Requests . . . . .	.8
ADA Coordinator’s Role. . . . .	.9
Court Self-Evaluations. . . . .	.9
4. Interacting with People with Disabilities. . . . .	.10
Overview . . . . .	.10
Etiquette . . . . .	.11
Greeting People with Disabilities. . . . .	.11
Assisting People with Disabilities. . . . .	.11
5. Physical Access to Courthouses. . . . .	.14
Overview . . . . .	.14
Environmental Barriers Act . . . . .	.14
Accessibility of Existing Facilities . . . . .	.15
Accessibility Resources . . . . .	.15
6. Selected Cases and Settlements . . . . .	.17
Cases of Special Interest. . . . .	.17
Relevant U.S. Department of Justice Settlements . . . . .	.19

7. Access to the Courts by Individuals Who Use Service Animals . . .	21
Overview	21
Limited Circumstances Permitting Exclusion	22
Illinois White Cane Law.	22
8. Court Disability Coordinators	23
Overview	23

APPENDICES

A. Resources.	25
B. Supreme Court of Illinois Policy on Access for Persons with Disabilities . .	32
C. Sample Website Description of Accommodations from Lake County	37
D. Sample Juror Summons and Request for Accommodation for Jury Service from Cook County	39
E. Code of Professional Conduct: Interpreters for the Deaf	42

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1. Key Statutes Governing Court Accessibility for People with Disabilities

Four key statutes govern access for people with disabilities in Illinois courts: the federal Americans with Disabilities Act, 42 U.S.C. § 12101 *et seq.*; the federal Rehabilitation Act of 1973, 29 U.S.C. § 794; the Illinois Human Rights Act, 775 ILCS 5/1-101 *et seq.*; and the Illinois Environmental Barriers Act, 410 ILCS 25/1 *et seq.*

The Americans with Disabilities Act (ADA), the Rehabilitation Act and the Illinois Human Rights Act provide broad protections for people with disabilities and govern access to programs, services, activities and facilities. They are briefly described in this section. The Illinois Environmental Barriers Act governs new construction of buildings as well as additions and alterations to facilities, including courts. It is described in more detail in Section 5.

The goal of the ADA is to provide a clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities. 42 U.S.C. § 12101. Please keep the spirit of the ADA in mind in your role as a CDC.

Americans with Disabilities Act (ADA)

[What is the Americans with Disabilities Act?](#)

The ADA is a federal civil rights law that protects qualified individuals with disabilities from discrimination based on their disabilities. Title II of the ADA covers units of state and local government, including the courts. Title II is based on the Rehabilitation Act of 1973, which prohibits discrimination by any entity receiving federal financial assistance, including the courts. The Rehabilitation Act will not be discussed in detail in this manual because the ADA contains substantially similar provisions.

[Do courts have to comply with the Americans with Disabilities Act?](#)

Yes. The ADA requires that all units of state and local government, including the courts, comply with the ADA. Title II applies to all services, programs and activities provided or made available by public entities. 28 C.F.R. § 35.102. A public entity is defined as any unit of state or local government or any department, agency, special purpose district or instrumentality of a state or local government. 28 C.F.R. § 35.104.

What actions are prohibited under Title II of the Americans with Disabilities Act?

Title II states that no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs or activities of a public entity, or be subjected to discrimination by such entity. 42 U.S.C. § 12132.

What programs, services and activities of the courts must be made accessible?

Under the provisions of Title II, a public entity shall operate every service, program or activity so that the service, program or activity, when viewed in its entirety, is readily accessible to and usable by individuals with disabilities. 28 C.F.R. § 35.150(a). This requirement is generally referred to as program accessibility, which is distinct from physical or facility accessibility.

Does every court facility have to be physically accessible to people with disabilities?

No, not necessarily. Each situation should be looked at on a case-by-case basis because not every facility has to be physically accessible if the service, program or activity can be made accessible in another manner.

Example: If proceedings are generally conducted in rooms on the second floor of an older courthouse that does not have an elevator, the proceedings could be moved to an accessible room on the first floor. If the first floor is not accessible, the court can move the proceedings to another community facility that is accessible.

The specific judicial system will be viewed in its entirety when determining accessibility.

Who enforces Title II of the Americans with Disabilities Act?

Title II of the ADA and the Rehabilitation Act are enforced by individual lawsuits filed in the federal district courts and by the U.S. Department of Justice. In suits by individuals, injunctive relief, damages, attorney's fees and costs may be recovered.

For U.S. Department of Justice enforcement, individuals may file complaints within 180 days of the alleged discrimination. 28 C.F.R. § 35.170(a) & (b). The Department of Justice will investigate each complete complaint, attempt informal resolution and if resolution is not achieved, issue a Letter of Findings to the complainant and the public entity. 28 C.F.R. § 35.174,176.

If the Department of Justice finds noncompliance, it will attempt to enter into a voluntary compliance agreement. The Department of Justice may initiate litigation if an agreement is not reached. The complainant may file a private action at any time, regardless of whether the Department of Justice opens a case or finds a violation. 28 C.F.R. § 35.176.

The Illinois Attorney General's Office also enforces the ADA. Like the Department of Justice, the Disability Rights Bureau attempts to resolve complaints through voluntary compliance. The Attorney General's Office may enter into settlement agreements where entities agree to provide program access or bring their facilities into architectural compliance with the ADA. If agreement is not reached or the terms of a settlement agreement are not fulfilled, the Attorney General may pursue litigation.

A state is not immune under the Eleventh Amendment from an action in federal or state court for a violation of the ADA (including remedies both in law and in equity). 28 C.F.R. § 35.178. For more information, see the section on *Tennessee v. Lane* in Section 6.

Illinois Human Rights Act (IHRA)

What actions are prohibited under the Illinois Human Rights Act?

A public official cannot deny or refuse to any person the full and equal enjoyment of the accommodations, advantages, facilities or privileges of the official's office or services or any property under the official's care because of unlawful discrimination based on that person's disability. 775 ILCS 5/5-102(c).

Who are considered public officials under the Illinois Human Rights Act?

The Illinois Human Rights Act's definition of public official includes any officer or employee of the state, its agencies or political subdivisions. 775 ILCS 5/5-101(C). This includes court administrators, clerks and judges.

Who may file a complaint under the Illinois Human Rights Act?

An aggrieved individual or the Illinois Department of Human Rights (IDHR) may file a charge in writing with IDHR. The complaint must be filed within 180 days of the alleged violation. 775 ILCS 5/7A-102.

Who enforces the Illinois Human Rights Act?

IDHR has the power to issue, receive, investigate, conciliate, settle and dismiss charges filed pursuant to the Illinois Human Rights Act. IDHR will conduct a full investigation of the allegations set forth in the charge and attempt informal resolution. If resolution is not achieved and IDHR finds substantial evidence of discrimination, IDHR or the aggrieved individual may prepare a written complaint and file it with the Illinois Human Rights Commission (IHRC). The IHRC, through its appointed hearing officers, will conduct evidentiary proceedings on the complaints received. 775 ILCS 5/8-102. Whether or not IDHR finds substantial

evidence of discrimination, an individual may commence a civil action in state court.

The Illinois Attorney General's Office also enforces the Illinois Human Rights Act. The Disability Rights Bureau may conduct an investigation when it has reasonable cause to believe that people with disabilities have been denied the equal enjoyment of facilities, services, programs and activities. 775 ILCS 5/10-104.

What are the penalties for violating the Illinois Human Rights Act?

Penalties include the assessment of actual damages, issuance of a cease and desist order, fees, costs and/or the entry of compliance agreements. 775 ILCS 5/8A-104. In an action filed by the Illinois Attorney General, fines and penalties will be assessed and equitable remedies may also be sought.

Illinois Environmental Barriers Act (EBA)

What facilities are covered by the Illinois Environmental Barriers Act?

The Illinois Environmental Barriers Act (EBA) covers all facilities constructed, added onto or altered after May 1, 1988. The EBA is described in greater detail in Section 5 of this manual.



2. Determining Who Is a Qualified Person with a Disability

Overview

The Americans with Disabilities Act (ADA), 42 U.S.C. § 12102; 28 C.F.R. § 35.104, defines a person with a disability in three ways:

1. A person with a physical or mental impairment that substantially limits one or more major life activities. Major life activities include both daily activities and biological functions:

Daily activities: such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working.

Biological functions: such as functions of the immune system, normal cell growth and digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine and reproductive functions.

Example: A person who uses a cane (walking) or has diabetes (endocrine system function).

Individuals with psychiatric, cognitive or developmental impairments may be substantially limited in major life activities in the same way as those with physical impairments.

2. A person with a record of such impairment—one who has a history of, or has been misclassified as

having, a mental or physical impairment that substantially limits one or more major life activities.

Example: A person who has been treated for cancer but is in remission.

3. A person who is subjected to an action prohibited by disability laws because of an actual or perceived physical or mental impairment, whether or not the impairment limits or is perceived to limit a major life activity.

Example: A child is excluded from a city-sponsored soccer team because the coach believes a rumor that the youth is infected with the HIV virus.

People with transitory and minor impairments lasting less than 6 months generally are not considered to have a disability.

Example: A person who has a head cold or the flu does not have a disability under the ADA on the basis of that head cold or flu.

The term disability as defined in the ADA does not cover sexual behavior disorders nor does it cover compulsive gambling, kleptomania, pyromania or psychoactive substance use disorders resulting from current illegal use of drugs. 28 C.F.R. § 35.104.

The Illinois Human Rights Act defines disability as:

A determinable physical or mental characteristic of a person, including, but not limited to, a determinable physical characteristic which necessitates the person's use of a guide, hearing or support dog, the history of such characteristics or the perception of such characteristics by the person complained against, which may result from disease, injury, congenital condition of birth, or functional disorder and which characteristic . . . is unrelated to a person's ability to use and benefit from a place of public accommodation. 775 ILCS 5/1-103(I).

Are all persons with disabilities protected by Title II of the ADA?

No. *Qualified* individuals with disabilities (those who are substantially limited in a major life activity) are protected under Title II of the ADA. An individual with a disability is “qualified” if he or she meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by the public entity—with or without reasonable modifications to rules, policies or practices; the removal of architectural, communication or transportation barriers; or the provision of auxiliary aids and services. 28 C.F.R. § 35.104.

Example: A 17-year-old who is deaf has a disability but is not “qualified” for jury duty because of her age. Therefore, she cannot avail herself of the protections of Title II to serve on a jury.

Permitted Inquiries

Public entities cannot make unnecessary inquiries about an individual's disability. Department of Justice Title II Technical Assistance Manual, 11-3.5300. As a general rule, medical documentation proving an individual's disability should not be requested. However, in limited cases, a court may request that a health professional certify in writing that an individual has a disability and has a particular functional limitation, without identifying the disability. A court cannot request medical documentation to establish a person's need to use a service animal, as explained in Section 7.

Example: A litigant requests that she not have to appear in court for the duration of the proceedings when her disability is not apparent and she has appeared in court before. It may be permissible to request a doctor's note certifying that the litigant has a disability and her disability prevents her from being present in court. Requesting that the doctor specify her disability may constitute an unnecessary inquiry.

In addition, the court should make efforts to avoid publicizing a person's disability in open court or in court orders. When a judge must address issues related to a disability openly, it would be advisable to refer to the person's disability as a “medical issue” and hold related discussions in which the disability may be disclosed in the judge's chambers.



3. Ensuring Program Accessibility

Overview

Program accessibility is achieved when the court’s programs, services and activities are accessible to and usable by qualified individuals with disabilities. As stated in Article 5 of the Illinois Human Rights Act and Title II of the ADA, state court officials are required to ensure that people with disabilities may participate in the services, programs, activities and facilities of the judicial system. 28 C.F.R. § 35.149. Courts are required to ensure program access in three ways:

Reasonable Modifications

State and local courts must modify their policies, practices and procedures to eliminate discriminatory treatment of people with disabilities, *unless* such modification would fundamentally alter the nature of its services, programs or activities. 28 C.F.R. § 35.130(b)(7).

Reasonable modifications in policies are often referred to as “reasonable accommodations.” If a court determines that it cannot provide a requested modification, it must engage in an interactive process to find alternative modifications that will provide program access for the individual with a disability.

Examples of potential reasonable modifications include the following: extended briefing schedules; adjustment of hearing times; permitting a support person to sit next to a litigant; allowing eating or drinking in the courtroom when otherwise prohibited; relocating hearings to provide access to restrooms; allowing appearances by teleconference for routine hearings; allowing electronic devices into the courthouse when otherwise prohibited; assisting with filling out court forms; and/or permitting the use of a service animal.

Other suggestions for reasonable modifications are available at the Job Accommodation Network’s website: askjan.org.

Auxiliary Aids and Services

State and local courts must provide communication with participants and observers of judicial proceedings in as effective a manner as possible for people with disabilities as they do for others. 28 C.F.R. § 35.160(a). In addition, courts must ensure that individuals with disabilities have an equal opportunity to participate in and enjoy the benefits of the court’s services, programs and activities. 28 C.F.R. § 35.160(b). To achieve this, courts must make available appropriate auxiliary aids and services unless doing so would fundamentally alter the nature of the court’s programs, services or activities or result in an undue financial or administrative burden. 28 C.F.R. § 35.160(b)(1); 28 C.F.R. § 35.164.

Some examples of auxiliary aids for those who are deaf or hard of hearing or for individuals with speech impairments include the following: qualified sign language interpreters; video remote interpreters; real-time computer-aided transcription services (CART); real-time captioning; assistive listening devices; written notes; note takers; written materials; relay services; videophones; teletype-

writers (TTYs) and similarly functioning computer software. 28 C.F.R. § 35.104.

Examples of auxiliary aids for those who are blind or have low vision include the following: qualified readers; screen reader software; magnification software; audio recordings; accessible websites and information technology; Braille or large-print materials. 28 C.F.R. § 35.104.

While the ADA references “qualified” interpreters, Illinois law states that all individuals providing interpreting services must be licensed through the Illinois Deaf and Hard of Hearing Commission unless specifically exempted. The *Interpreters for the Deaf Licensure Act of 2007* 225 ILCS 442/1 *et seq.* and its rules designate an interpreter’s proficiency level based upon the certification for which the license is granted. The law provides for four proficiency levels: provisional, intermediate, advanced and master. Interpreters must possess a minimum of an advanced proficiency level for basic legal assignments, while master level is required for complex legal assignments. All licensed interpreters are held to the Standards of Professional Conduct.

All communications that are recognized by law as privileged shall remain privileged even in cases where an interpreter for the deaf and hard of hearing is used to facilitate such communication. 735 ILCS 5/8-912.

In addition, the Illinois Code of Civil Procedure, 735 ILCS 5/1-101 *et seq.*, and the Illinois Code of Criminal Procedure, 725 ILCS 140/1 *et seq.*, require the court to provide parties, victims and witnesses who are deaf or hard of hearing with interpreters or other means of communication. An interpreter is required for all aspects of the proceedings, including the jury’s deliberations.

Courts must provide interpreters for court participants who request them, even if there is a family member or friend present who knows sign language.

Accessible Facilities

State and local courts must ensure that architectural barriers do not prevent program access. Physical access requirements are discussed in detail in Section 5.

Who is entitled to program accessibility?

Any qualified individual with a disability is entitled to program accessibility through either reasonable modifications to policies or auxiliary aids and services. This includes witnesses, attorneys, jurors, judges, litigants and spectators.

Must the court notify individuals with disabilities about their right to program accessibility?

Yes. The ADA requires that persons with disabilities receive notice of the protections the statute affords them. Public entities must “ensure that interested persons . . . can obtain information as to the existence and location of accessible services, activities and facilities.” 28 C.F.R. § 35.163. A public entity with 50 or more employees must also establish and adopt grievance procedures for resolving complaints of discrimination and physical inaccessibility. 28 C.F.R. § 35.107(b).

Requests for Program Accessibility

Who may request the reasonable modification or auxiliary aid or service?

The person with a disability, or his or her representative, may request the modification or auxiliary aid or service. As stated above, the court must provide accommodations to parties, lawyers, judges, witnesses, jurors and courtroom spectators as needed to ensure their equal participation in and benefit from court services.

Does a request for a reasonable modification of policy or auxiliary aid or service have to be made in writing?

No. A person may make such a request orally or in writing. Do not delay in processing the accommodation request.

Who decides the form or method of program accessibility?

The regulations require public entities to allow persons with disabilities the opportunity to request the auxiliary aids and services of their choice and require public entities to give “primary consideration” to the preferences expressed. 28 C.F.R. § 35.160(b)(2). The person’s requested auxiliary aid or service should be provided *unless* the court proposes another equally effective means of communication *or* providing the requested auxiliary aid or service would result in a fundamental alteration in the programs, services or activities of the court or create an undue financial or administrative burden.

Example: A person who became deaf later in life may not know sign language. Therefore, a real-time captioning service may be more appropriate than a sign-language interpreter.

Does the court have to provide an individual with a disability personal devices or personal care assistance?

No. The ADA does not require the court to provide personal devices such as wheelchairs or canes or personally prescribed devices such as hearing aids or eyeglasses. Further, the ADA does not require the court to provide services of a personal nature such as assistance in eating, toileting or dressing. 28 C.F.R. § 35.135.

If reasonable modifications or auxiliary aids or services are needed, who must pay for them?

The ADA prohibits a public entity from placing a surcharge on services for individuals with disabilities to cover the cost of accommodations. 28 C.F.R. § 35.130(f). The Illinois Code of Civil Procedure requires sign language interpreter’s fees to be paid out of general county funds. 735 ILCS 5/8-1402.

Does the court have to provide reasonable modifications or auxiliary aids or services within a certain period of time?

Courts must provide a reasonable modification to a policy or an auxiliary aid or service within a reasonable period of time after a request is made. Determining what is a reasonable time period will depend on the nature of the request and should be handled on a case-by-case basis.

Example: It may be reasonable to require that a request for a sign language interpreter be made two weeks in advance. However, it would likely not be reasonable to take two weeks to provide materials in large print format.

What should the court do until the requested modification or auxiliary aid or service is available?

The court should delay all proceedings until the reasonable modification to a policy or an auxiliary aid or service can be provided. Litigants must be provided with auxiliary aids or services at their initial court hearings.

Courts should develop policies to ensure aids and services are available as needed. Criminal courts may have additional obligations to provide these services promptly.

How can the court find a licensed sign language interpreter capable of handling court matters?

Certified interpreters may be located by proficiency level and county at the Deaf and Hard of Hearing Commission’s website: www2.illinois.gov/idhhc/Pages/interpreterlicensuredirectory.aspx.

Further questions can be addressed to the Interpreter Coordinator at the Deaf and Hard of Hearing Commission by email at dhh.interpreter@illinois.gov or by phone at (217) 557-4495.

How can the court find a Communication Access Real-time Translation (CART) service provider?

You may contact the Chicago Hearing Society at (773) 248-9121 or your local Center for Independent Living. Your local Center for Independent Living can be located by entering your county on their website, which can be found at: www.incil.org/locations.asp.

Defenses to Requests

Are there any defenses to a court having to provide a modification of policy or auxiliary aid or service?

Yes, but they are very limited. A court is not required to provide a reasonable modification *if* that modification would result in a fundamental alteration of its programs, services or activities. 28 C.F.R.

§ 35.130(b)(7). A court is also not required to provide an auxiliary aid or service if that accommodation would result in a fundamental alteration of its programs, services or activities or constitute an undue financial or administrative burden. 28 C.F.R. § 35.164.

Example: The court is not required to provide a person with a disability free legal representation as a reasonable accommodation. (For specific cases, the court is mandated to provide free legal representation, but not as a disability accommodation.)

The decision to deny an accommodation, auxiliary aid or service must be made by the head of a public entity, such as the Chief Circuit Judge, or his or her designee. That individual must consider all resources available for use in the funding and operation of the service, program or activity. The denial must be made in writing, including a written statement of the reasons for reaching that conclusion. 28 C.F.R. § 35.164. The court must also consider alternative means of providing program access and open a dialogue to discuss the proposed accommodation.

Example: An individual requests a document in Braille. If obtaining the document in Braille is impracticable, the court may consider alternatives, such as providing a tape-recorded transcript of the document. Discuss alternatives with the individual who requested the accommodation.

ADA Coordinator's Role

What is an ADA Coordinator?

Public entities with 50 or more employees, including courts, must appoint a person designated to coordinate their efforts to comply with and carry

out their responsibilities under the ADA, including any investigations of complaints of discrimination or physical inaccessibility. 28 C.F.R. § 35.107. This person is commonly referred to as the ADA Coordinator. The ADA Coordinator's name, office address and telephone number must be made available to the public. A Court Disability Coordinator is an ADA Coordinator who specifically assists people with disabilities in the judicial setting.

Court Self-Evaluations

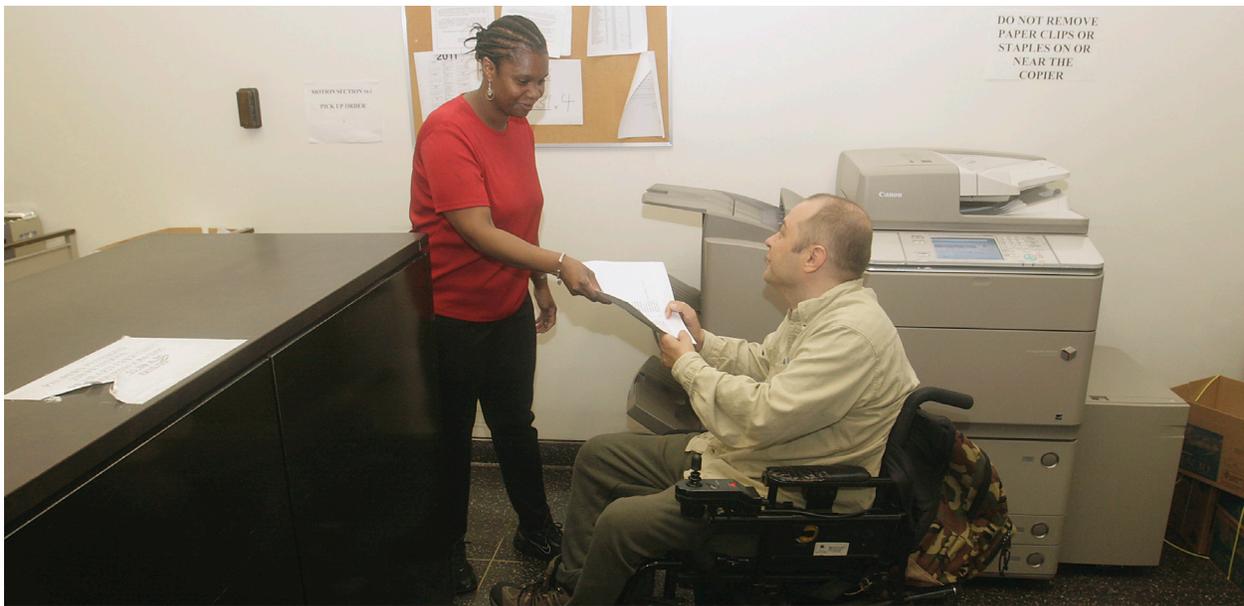
What is a self-evaluation and does a court need one?

All public entities, including courts, are required to conduct a self-evaluation of their services, policies and practices to identify existing barriers to program access for people with disabilities. 28 C.F.R. § 35.105. These barriers can include discriminatory policies, the lack of auxiliary aids and services and inaccessible facilities. Once areas of non-compliance with the ADA are determined, they must be corrected so that program access is achieved.

A public entity must give individuals with disabilities and the organizations representing them the opportunity to participate in the self-evaluation process. The CDC may be responsible for conducting a court's self-evaluation in cooperation with court and county personnel and people with disabilities. Self-evaluations should be conducted periodically.

Where can court and county personnel obtain information regarding assistive technology that is appropriate for a courtroom?

Sources for information regarding assistive technology are listed in Appendix A.



4. Interacting with People with Disabilities

Overview

CDCs should strive to foster an atmosphere of respect surrounding the court system’s accommodation of people with disabilities. To this end, it is important to use language that communicates respect. Using people-first language, the proper terminology is *a person with a disability*. It puts the emphasis on the person—not the disability. Using “people first” language is one way to show respect. For example, a person is not *an epileptic*, but rather *a person who has epilepsy*. Further, the term *handicapped* originated from the phrase “beggar with cap in hand.” Because of its negative connotation, it is often rejected by the disability community. It

is also inappropriate to say that a person “suffers” from a disability. Other examples of inappropriate and appropriate terms are reflected in the lists below.

Although great emphasis is placed on the terms used to refer to people with disabilities, people can relax and use common, everyday expressions when talking to people with disabilities. Saying, “See you later,” to a person who is blind or “Walk over to the clerk’s office,” to a person who uses a wheelchair is generally not offensive. These phrases are recognized as part of everyday language and avoiding them would emphasize the disability.

Disfavored Term

disabled or handicapped
handicapped parking
wheelchair-bound
paraplegic
dwarf
hearing impaired
visually impaired
diabetic
autistic
bipolar
crippled
mentally retarded or slow

People-First Language

person with a disability
accessible parking
person who uses a mobility device
person who has paraplegia
person of short stature or little person
person who is deaf or hard of hearing
person who is blind or has low vision
person who has diabetes
person who has autism
person who has bipolar disorder
person with a physical disability
person who has an intellectual disability

The goal is to foster an environment of respect and independence, and to ensure that everyone has access to the court system and its programs.

Etiquette

People with disabilities are no different than other people in their need for courtesy, independence and control. Disability etiquette involves being polite paired with common sense. Always speak directly to people with disabilities. For example, if a person is deaf, talk to him or her—not the sign language interpreter.

Ask a person with a disability if he or she wants assistance and then wait for a reply or look for non-verbal indications of what the person wants. This will eliminate concerns about whether to help or how to help, and it allows the person with a disability to be in control of the situation. Generally, people with disabilities who need assistance will ask for it. Give them time to respond and express themselves.

Greeting People with Disabilities

People with disabilities prefer that you treat them the way you treat others and focus on the person—not the disability.

Use your normal voice when greeting a person with a disability. Do not raise your voice unless requested.

Following are tips that may assist you in making everyone feel welcomed. A person with a disability may prefer a different approach and may tell you. Always be flexible and respect the individual's wishes.

Greeting a person who is blind or has low vision. If you have not been introduced, state your name when you say “Hello.” Generally, wait for the person who is blind or has low vision to extend a hand, then shake it. Some people recommend touching the arm at the elbow with the left hand to make the person aware that a handshake is planned and then taking the right hand to shake it. But always verbalize any action that involves

physical contact. An unsolicited touch is rude and unsettling. If asked to “lead” a person who is blind or has low vision, help the person take hold of your elbow. Do not hold his or her hand.

Greeting a person who has no hands or has a prosthesis. Wait for the person to extend the prosthesis and then shake it. It is acceptable to shake a left hand if the person has no right hand. Someone who just received a prosthesis may not want to shake hands, and you should respect that. If a handshake is inappropriate, greet the person with a smile and eye contact.

Greeting a person who is deaf or hard of hearing. To get the person's attention, it is appropriate to tap the person on the shoulder or wave your hand to make visual contact. When trying to get the attention of an individual or a group of people who are deaf or hard of hearing, turning the lights off and on is acceptable.

Greeting a person using a wheelchair. Although conversation should be at eye level, you can remain standing for a greeting. When conversation is planned, take a nearby chair and sit down. If there is no chair in the immediate vicinity, consider saying something like, “I'd like to sit down and talk with you. Let's find a chair.”

Assisting People with Disabilities

The most important thing to remember when you interact with people with disabilities is that they are people. Always treat each person with dignity and respect. Each person is different, but the following are a few basic guidelines that may help when interacting with people with disabilities. In general, adjust to the needs of the person and follow the person's lead. Always ask before giving any assistance.

People who have physical disabilities. A person using a wheelchair does not normally require help to enter or leave a room but may need directions to locate accessible features like wheelchair ramps and accessible routes and restrooms. Lend minimal assistance and ask if more is needed. It is important not to be overly intrusive.

- Do not touch or lean on a person’s wheelchair without permission. It is his or her personal space and should be respected as such. Also avoid touching the person without his or her permission.

People who are deaf or hard of hearing. There is no universal form of communication. You must determine the most effective way to communicate, e.g., written notes or sign language interpreters. The communication method depends on the individual and many factors can influence this, including the point in the person’s life that they experienced the hearing loss. Some examples of accommodations for people who are deaf or hard of hearing would include the following:

1. **Communication Access Real-time Translation (CART):** CART is a professional service where a CART specialist provides real-time captioning usually on a small screen for the individual. CART is generally used by those whose language acquisition is primarily English. Many times CART is used by those who become deaf later in life or are hard of hearing. Lip reading is not an effective way of communication. It is estimated that only 30 percent of verbal communication is discernable on the lips.

2. **Sign Language Interpreter:** During conversation, maintain eye contact with the person who is deaf or hard of hearing rather than the interpreter. The interpreter should sit next to you so that the person with a disability can gaze back and forth from the interpreter to you easily. In addition:

- Ensure good lighting, which is necessary because visual cues and gestures are important.
- Make sure the person who is deaf or hard of hearing feels comfortable asking you to repeat something if he or she does not understand.
- Be patient. Communication may take a little longer.

3. **Assisted Listening Devices (ALDs):** ALDs are used to amplify spoken communication in compari-

son to other background noises that may interfere and prevent effective communication. ALDs may or may not be used in conjunction with hearing aids or cochlear implants.

4. **Written Notes:** Writing on paper back and forth may be effective communication for simple transactions, such as when a person has a question about a court form and the answer can be easily provided by writing it down.

People who have a speech impairment. Relax while listening to someone with a speech impairment and you will adjust more quickly to the sounds and patterns of the person’s speech. Also:

- If you cannot understand, ask for the statement to be repeated. Do not guess. You may lose valuable information if you do not follow up on statements or answers that are confusing or do not make sense to you.
- Avoid interrupting—wait for sentences to be completed.
- If the speech impairment is significant, it may be necessary to write notes, have a person spell out a word or use another mode to communicate.

People who are blind or have low vision. Face the person who is blind or has low vision when talking. If your eyes are directed toward the person, your voice will be as well. If you do not face the person, your voice will come from a different direction and may confuse him or her. In addition:

- Offer to assist and if the person asks to be led, allow the person to hold your elbow as you walk—not your hand. Verbally describe the area as you proceed.
- If you are asked for directions, make the response explicit. For example, say the room is “the third door on the left” rather than “down the hall.” Consider giving directions using the face of a clock (“the drinking fountain is at 3 o’clock”).

- Do not stop talking when a person who is blind or has low vision is approaching; the person relies on the sound of your voice for direction.
- When a person who is blind or has low vision enters your office, it may be helpful to extend your arm to guide the person to a chair (verbalize what you are doing). Introduce each person in the room by name and indicate where he or she is sitting in the room relative to where the person who is blind or has low vision is seated.
- Tell the person anything he or she should know but cannot see. Talk about the placement of furniture and equipment in the room, if necessary. Hazardous items should be described. Explain what is happening in the room. Descriptions and explanations should be specific.
- Explain periods of silence during your conversation, if necessary, and explain when something nonverbal is occurring, such as the judge reviewing documents or a party entering or exiting the room.
- If a person has a service animal, respect the fact that it is a working animal. Do not touch or talk to the animal when it is working without the direct permission of its owner.

Written materials for people with low vision.

When appropriate, offer to make public information available in alternative formats such as Braille, audio tape or large print. For large print, the American Federation for the Blind (AFB) suggests size 18-point Arial font with limited use of italics. AFB also suggests using a 1.5 space between lines rather than single spacing and using high-contrast colors (e.g., black ink on white paper).

People who have cognitive or intellectual disabilities. Use concrete terms and avoid abstract instructions. Assume everyone is legally competent. Address the individual—not the person’s

companion. If you give instructions:

- Complete one step of instructions before giving instructions on the next step.
- Demonstrate how things should be done. Explain what you are doing as you do it.
- Give extra time to complete a task.
- Offer to write instructions for the individual. Write clearly, using plain language.
- Avoid legal jargon, acronyms, abstract concepts and large words.
- Use plain language.
- Take your time.

People who have psychiatric disabilities. Court can often be a stressful experience for those involved. For people who have a psychiatric disability (such as an anxiety disorder, depressive disorder or schizophrenia), the court system can become debilitating. The following suggestions may help in overcoming these barriers:

- Never touch someone without their permission. Although you may mean it as a symbol of kindness or sympathy, it could trigger a different emotion in someone with a history of trauma.
- Speak slowly and distinctly.
- Use an even tone. It is inappropriate to raise your voice.
- Present information in the way that the person prefers; for instance, offer to write instructions. Write clearly, using plain language.
- Eliminate distractions.



5. Physical Access to Courthouses

Overview

What statutes and codes govern physical access to the courts?

The Environmental Barriers Act (EBA), 410 ILCS 25/1 *et seq.*, and its implementing regulations, the Illinois Accessibility Code (IAC), 71 Ill. Adm. Code 400.110 *et seq.*, dictate the minimum requirements for accessibility to public and private facilities located in Illinois. The EBA became effective on September 25, 1985. IAC standards became effective May 1, 1988.

In addition, Title II of the Americans with Disabilities Act (ADA), 42 U.S.C. § 12101 *et seq.*, addresses physical access to state and local government facilities. Title II became effective January 26, 1992. The ADA Standards for Accessible Design dictate the minimum requirements under the ADA for accessibility to public buildings like courthouses. The Standards were amended in September 2010, and any facilities constructed or altered on or after March 15, 2012, must meet the revised 2010 standards because that is the date the law took effect. The 1991 Standards, the 2010 Standards and/or the Uniform Federal Accessibility Standards may be used for projects that were commenced between September 15, 2010, and March 14, 2012.

Environmental Barriers Act

To what does the Environmental Barriers Act apply?

The EBA, enacted in 1985 and amended in 1996, governs physical access for people with disabilities in any new construction, additions or alterations to facilities after May 1, 1988.

Who enforces the Environmental Barriers Act?

The Illinois Attorney General enforces the EBA and its regulations in the IAC. The most frequent complaints received by the Attorney General's Office include the failure to install or properly mark accessible parking spaces, inaccessible entrances and inaccessible restrooms.

What are the penalties for violations of the Environmental Barriers Act?

The Illinois Attorney General may bring an action for mandamus, injunction to halt alterations or construction of any public facility built in violation of the EBA or other equitable relief. The owner of a facility built in violation of the EBA can be found guilty of a business offense punishable by a fine up to \$250 per day, where each day in violation constitutes a separate offense. An architect or engineer could be subject to a license suspension, revocation

or refusal to restore such license. A building code official can be found guilty of a business offense punishable by a fine not to exceed \$1,000 per offense.

Accessibility of Existing Facilities

If an existing facility used by the courts is not accessible, must it be made accessible?

Extensive retrofitting of older court facilities is not required if the activities, services and programs of the court, when viewed in their entirety, are accessible or if making the courthouse accessible would result in a fundamental alteration in the nature of the service, program or activity or result in undue financial and administrative burdens.

Therefore, in a building that has not been constructed, altered or added onto since May 1, 1988, a physical barrier such as stairs need not necessarily be removed *if* the removal would result in an undue financial burden, as long as the services, programs or activities served by the stairs are made accessible through other means. Such access might be achieved by relocating a service to an accessible location or facility. For example, this could be accomplished by moving a felony court proceeding on an inaccessible floor to a traffic courtroom on a floor that is accessible or providing benefits or services at an alternative accessible site.

What is a transition plan and does my county need one?

Public entities with 50 or more employees, including counties, must have a transition plan if the removal of architectural barriers is necessary to achieve program access in existing courthouses, those constructed before the ADA went into effect and those that have not been altered. 28 C.F.R. § 35.150(d). The transition plan must set forth the inaccessible features of facilities, the methods that will be used to increase accessibility and time frames for bringing the facilities into compliance with the ADA.

The CDC may work with the county to create and implement any parts of the transition plan related to court facilities. The county's transition plan should be updated periodically.

Do historic buildings have to be made accessible?

A public entity is not required to take any action that would threaten or destroy the historic significance of a property. However, the entity must still make its programs, services and activities available to, and usable by, people with disabilities. The Illinois Historic Preservation Agency can assist public entities in determining whether a property is historic and can offer access alternatives that will not destroy the historical significance of the property. The EBA has provisions for access to historic buildings.

Are there any other defenses to providing physical accessibility in an existing courthouse?

Yes, but they are very limited. A county is not required to provide physical access in an existing courthouse if doing so would fundamentally alter the nature of the court's programs, services or activities or result in an undue financial or administrative burden. 28 C.F.R. § 35.150(a)(3). The decision must be made by the head of a public entity, such as the Chief Circuit Judge or his or her designee, after considering all resources available for use in the funding and operation of the service, program or activity and must be accompanied by a written statement of the reasons for reaching that conclusion. The county must consider alternative means of providing program access.

Where can a person find assistance in conducting an accessibility inspection?

Assistance in conducting an accessibility inspection may be obtained by contacting a Center for Independent Living or a qualified design professional such as an architect. See Appendix A for addresses, telephone numbers and websites.

Accessibility Resources

There are numerous resources available to provide guidance regarding the removal of architectural and communication barriers to improve access to courthouses for persons with disabilities. The 2010 ADA Standards for Accessible Design specifically address accessibility in courtrooms. The Standards are available online at www.ada.gov/regs2010/2010ADASTandards/2010ADASTandards.htm. The IAC provides detailed information on the minimum

accessibility requirements for public buildings. A copy of the IAC is available on the Illinois Attorney General's website or can be downloaded from the Illinois Capitol Development Board's website at: www.illinois.gov/cdb.

Additional technical assistance in determining the barriers that may exist in your courthouse can be provided by your local Center for Independent Living or the Illinois Attorney General's Office.



6. Selected Cases and Settlements

Cases of Special Interest

Can the State of Illinois Be Held Liable for Discrimination in Cases Involving Access to the Courts?

Tennessee v. Lane, 124 S.Ct. 1978 (2004)

Yes. In *Tennessee v. Lane*, the Supreme Court held that states are subject to lawsuits filed in federal court for money damages under the ADA in cases involving access to the courts. The question before the Supreme Court was whether Congress acted properly when it enacted the ADA and made states liable for discrimination against people with disabilities in the provision of government services. The Supreme Court decided that the ADA does apply to the states when people with disabilities seek to enforce their rights to gain access to the courts.

The plaintiffs in the case, two Tennessee residents with paraplegia, were denied access to judicial proceedings because those proceedings were held in courtrooms on the second floors of buildings lacking elevators. One of the plaintiffs, George Lane, was unable to attend a criminal proceeding being held in an inaccessible second-floor courtroom. The state arrested him for failure to appear when he refused to crawl or be carried up the steps. Another of the plaintiffs, Beverly Jones, sought access

to the courtroom to perform her work as a court reporter. Lane and Jones filed suit under Title II of the ADA to challenge the state's failure to hold proceedings in accessible courthouses. In response to the ADA suit, the State of Tennessee argued that it was immune from suits under Title II of the ADA.

In its decision, the Supreme Court ruled that in the legislative history of the ADA, Congress identified an extensive history of discrimination by states in the provision of their programs and services for people with disabilities. The Court held that the remedies set forth by Congress in the ADA are appropriate to ensure that people with disabilities have access to the courts.

Can a Person Who Is Blind Be Excluded from Serving on a Jury?

Whether a person who is blind can be excluded from jury service depends on the facts of the case that the juror would be hearing; it cannot be based on generalizations about people with disabilities. Two cases are discussed below:

Galloway v. Superior Court of the District of Columbia, 816 F. Supp. 12 (D.C. 1993)

No. The D.C. Superior Court refused to allow Donald Galloway to serve as a juror solely because

he was blind. The policy of excluding persons was based on a state statute stating that “an individual shall not be qualified to serve as a juror if determined to be incapable by reason of physical or mental infirmity of rendering satisfactory jury service.”

Mr. Galloway sued, and the reviewing court found that the policy of categorically excluding blind persons was a violation of the Rehabilitation Act of 1973 and the ADA. The opinion recognized that a person who is blind may be excluded from a particular case if it involves a significant amount of visual evidence, but the decision as to whether the individual should be excluded from serving should be left to the judge, attorney and *voir dire* process. Further, the court recognized the tendency of public officials to overgeneralize the limitations of people with disabilities.

U.S. v. Watson, 483 F.3d 828 (D.C. Cir. 2003)

Yes. The defendant had driven his tractor into a public pond in protest of government policy, causing extensive property damage, and threatened that he had explosives. The prosecutor excluded two potential jurors who were blind through peremptory challenges. After the defendant was convicted, he appealed and argued that the individuals who were blind were improperly excluded from the jury. On appeal, the court held that the prosecutor’s peremptory challenges were appropriate because it was important that a juror be able to review the substantial visual evidence the government relied upon, such as videos and photographs, to understand the full impact of the defendant’s actions. The court noted that the government’s peremptory challenges were not based on a fear that people who are blind are incapable of serving as jurors.

Can a Person Who Is Deaf Be Excluded from Serving on a Jury?

DeLong v. Brumbaugh, 703 F. Supp. 399 (W.D. Pa. 1989)

No. A Pennsylvania trial court excluded a juror simply because she was deaf. Upon review, the ap-

pellate court found the juror should not have been disqualified from jury service under the applicable Pennsylvania statutes because she could communicate through a sign language interpreter and render efficient jury service. The trial court had not given her an opportunity to prove her communication abilities.

The Appellate Court also held that under the Rehabilitation Act such an unreasonable exclusion was discriminatory and further held that the cost of providing the juror with an interpreter would not have placed an undue burden on the trial court.

Is a Witness Entitled to a Reasonable Accommodation?

In Re McDonough, 457 Mass. 512 (Mass. 2010)

Yes, where the accommodation is reasonable and necessary. A woman in Massachusetts alleged that she was a victim of an attack in her nursing home. She was barred from testifying against her alleged attacker in his criminal case, however, because she had an impaired capacity to communicate orally due to the effects of a stroke. Because of her inability to provide narrative answers, the judge found her not “competent” to testify.

On appeal, the Supreme Judicial Court of Massachusetts confirmed that she had the right to seek an accommodation and also put forth a procedure for witnesses who require accommodations when they seek to give testimony in a case:

1. The witness (or the party proffering the testimony of that witness) should alert the judge and the parties that the witness needs an accommodation and identify the reasonable accommodation that the witness seeks.
2. If there is any objection, it should be presented to the judge to resolve the issue at a hearing, preferably before trial.
3. On the record, the judge should question the witness as to her need for the accommodation, and what accommodation might enable her to testify. The judge should make findings adequate to permit appellate review of the issue. The witness should be provided with

the reasonable accommodation, if available, during that pretrial hearing. The judge may appoint an independent expert to assess the witness's disability and its impact on her ability to testify, as well as the required reasonable accommodation.

On remand, the woman was allowed to testify against her alleged attacker with the following accommodations: lawyers asked single-subject questions that called for a "yes" or "no" response, she was allowed to testify through the use of gestures and diagrams and she was allowed extra time to respond.

Are Historical Courthouses Exempt from Program Accessibility Requirements?

Matthews v. Jefferson, 29 F. Supp.2d 525 (W.D. Ark. 1998)

No. The plaintiff, an individual with paraplegia, filed suit against the county for failing to make the courthouse, which is listed in the National Registry of Historic Buildings, accessible. Mr. Matthews' suit alleged that when he was a litigant in that courthouse, the courthouse did not have an elevator, ramps or another device to provide him access to the courtrooms on the second floor. Instead, he had to be carried up and down the stairs to attend hearings. During the course of one ten-hour hearing, the plaintiff was unable to empty his external catheter because the bathrooms were inaccessible. He was also unable to leave the courthouse to get a meal during the noon recess.

The Court in this case found that the county had violated the ADA and the Rehabilitation Act by failing to provide people with disabilities access to the justice system.

Are the Courts Required to Give Primary Consideration to the Auxiliary Aids and Services Requested by the Individual with a Disability?

Duvall v. County of Kitsap, 260 F.3d 1124 (9th Cir. 2001)

Yes. The plaintiff, an individual who is hard of hearing, filed suit against the county for failing to

provide real-time transcription services during his marriage dissolution proceedings. The plaintiff does not know sign language and cannot use an assisted listening device because it interferes with his hearing aids. The court allowed him to sit in the jury box to hear the proceedings. However, he could not understand what was occurring when he looked away from the witness stand to take notes, and he could not talk to his attorney from where he was seated. He also began experiencing headaches from straining to hear and trying to read lips.

The Court found that the county had violated the ADA and the Rehabilitation Act by failing to provide the auxiliary aid and service requested by the plaintiff. The Court noted that primary consideration must be given to the request of the individual.

Relevant U.S. Department of Justice Settlements

The United States of America v. Oconee County, South Carolina, (D.O.J. Complaint 204-67-120, August 2010)

This complaint was brought by the Department of Justice after a compliance review under Title II. The review revealed over 30 violations of Title II, including non-compliant toilet rooms, courtrooms, accessible routes and parking. Under the agreement the county was required to make substantial changes to the courthouse, including renovating courtrooms, toilet rooms, the accessible route and the courthouse entryway to ensure proper access for persons with disabilities. The county was also required to renovate the parking lot to provide adequate parking and accessible routes to and from the courthouse.

The United States of America v. The Commonwealth of Massachusetts, Docket Number 03-CV-10246 (D. Mass. 2003)

This matter was initiated by two attorneys with disabilities who filed a complaint under Title II of the ADA alleging that numerous courthouses and other legal offices owned by the State of Massachusetts were inaccessible to individuals with disabilities. Under the settlement agreement, the State

was required to make procedural modifications and structural changes to the facilities to make them accessible.

The United States of America and The City of Houston, Texas, (D.O.J. Complaint 204-74-102, March 2000)

Under the settlement terms of this case filed against the City of Houston, the city was required to ensure that individuals who are deaf or hard of hearing are provided with auxiliary aids and services, giving primary consideration to the requests of the individual. The city agreed to defer to the request of the individual unless the request results in a fundamental alteration or an undue burden. In those cases, the city is not required to take any action that would result in such a burden but must still ensure that, to the fullest extent possible, individuals with disabilities receive the benefits or services provided by the city.

The city also agreed to post a notice in conspicuous locations advising individuals that auxiliary aids are available and listing the name, address and phone number of the court's ADA coordinator. Official notices of court dates must contain notice of the availability of auxiliary aids and provide the number of the TTY phone line.

The United States of America and Scott County, Arkansas, (D.O.J. Complaint 204-10-6, June 1996)

Under the settlement terms of this case, Scott County, Arkansas, was required to make its facilities accessible to people with disabilities. The matter was initiated by a complaint filed under Title II of the ADA. Because of architectural barriers, the services, programs and activities provided by the county in the courthouse were not readily accessible to and usable by persons with mobility impairments. The settlement required the county to build new facilities that would allow equal participation for everyone.

The United States of America and the City of Fulton, Missouri, (D.O.J. Complaint 204-43-12, May 1994)

This matter was initiated by a complaint filed under Title II of the ADA against the City of Fulton, Missouri. The complaint alleged that in its Municipal Court proceedings, the city did not ensure that communications with people who are deaf or hard of hearing were as effective as communications with others without hearing-related disabilities.

The settlement established that it is unacceptable to deny a person with a disability the benefits of and participation in the court's programs on the grounds that auxiliary aids are not available. The City of Fulton was required to provide appropriate auxiliary aids to deaf or hard of hearing participants and spectators in court proceedings.

The United States of America and the Santa Clara County Superior Court, (D.O.J. Complaint 204-11-90, October 1996)

The settlement resolved a complaint filed under Title II of the Americans with Disabilities Act. The complaint claimed the court's policies and procedures for providing assistive listening systems and other auxiliary aids and services did not ensure effective communication for individuals who are deaf or hard of hearing, thereby limiting their ability to participate in the court's services.

The settlement required Santa Clara County to alter its policies and give primary consideration to the aid that the person with a disability prefers. Primary consideration means that the court will honor the person's choice unless it can be shown that another equally effective means of communication is available or that the use of the means chosen would result in a fundamental alteration in the nature of the program, service or activity, or in an undue financial or administrative burden.

7. Access to the Courts by Individuals Who Use Service Animals

Overview

State and federal laws, including the Americans with Disabilities Act and the Illinois White Cane Law, protect individuals who use service animals.

What is the definition of a service animal under the ADA?

The ADA defines a service animal as any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual or other mental disability. If they meet this definition, animals are considered service animals under the ADA regardless of whether they have been licensed or certified by a state or local government.

In addition, the ADA requires that reasonable modifications be made to permit the use of miniature horses as long as the horse has been individually trained to do work or perform tasks for the benefit of the individual with a disability.

Service animals are working animals—not pets. Do not pet or touch them without specific permission from their owners.



What type of assistance do service animals provide?

Service animals perform some of the functions and tasks that the individual with a disability cannot perform for himself or herself. Guide dogs, commonly used by individuals who are blind or have low vision for navigation or other tasks, are one type of service animal. However, there are a number of other tasks service animals perform for people with disabilities, including the following examples:

- Alerting people who are deaf or hard of hearing to people or sounds
- Assisting an individual during a seizure
- Providing rescue work
- Pulling a wheelchair
- Alerting individuals to the presence of allergens
- Retrieving items such as medicine or a telephone

- Providing physical support and assistance with balance and stability to individuals with mobility disabilities
- Helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors

What questions can an individual with a service animal be asked?

To determine whether an animal qualifies as a service animal, a public entity cannot ask about the nature or extent of a person's disability. It may ask the following two questions:

- Is the animal required because of a disability?
- What work or task has the animal been trained to perform?

However, a person with a service animal may not be asked these questions when it is readily apparent that the animal is trained to do work or perform tasks for an individual with a disability.

Example: A dog is observed guiding an individual who is blind.

Does an owner need to provide proof that the service animal is certified?

No. A person with a disability does not need to provide proof that the animal is certified, trained or licensed and cannot be asked these questions. A service animal is also not required to wear a special harness, vest or cape.

Where can a service animal go in a court facility?

Individuals with disabilities can be accompanied by their service animals wherever members of the public are permitted to go.

Limited Circumstances Permitting Exclusion

Can a service animal ever be excluded from a court facility?

Yes, but only if the animal is out of the handler's control, is not housebroken or poses a direct threat to the health or safety of others, or when the presence of the animal fundamentally alters the nature of the services provided by the court.

Example: A dog that barks during a hearing or exhibits vicious behavior toward others may be excluded. If the assistance dog is excluded, the individual with the disability should still be given the option of continuing his or her participation in the court services.

Illinois White Cane Law

Is there a state law that protects individuals who use service animals?

Yes. In addition to the ADA, Illinois' White Cane Law, 775 ILCS 30 *et seq.*, guarantees to people who are blind, are deaf, have a seizure disorder or have any other physical disability the right to be accompanied by a service animal or service animal in training in public buildings and facilities, including courthouses. The White Cane Law also guarantees admission to service animal trainers. A violation of the White Cane Law is a Class A misdemeanor.



8. Court Disability Coordinators

Overview

Who are Court Disability Coordinators?

Court Disability Coordinators (CDCs) are persons who have been designated by the Chief Judges of their Judicial Circuits to assist court participants with disabilities. They are professionals who have specific expertise in some aspect of the judicial process.

CDCs are trained regarding appropriate terminology, etiquette and practices for addressing and interacting with people with disabilities. They are familiar with the legal requirements governing physical and program access to the judicial system for people with disabilities.

How can CDCs assist the court?

CDCs have access to a vast array of people and agencies that can help the court address issues regarding physical and program accessibility. Specifically, CDCs should work with judges and staff to ensure that the court provides appropriate policy accommodations and auxiliary aids and services for people with disabilities. They should inform judges and other court personnel of proper policies and procedures.

CDCs should develop and draft ADA policies and policy accommodation request forms and ensure that jurors and other court participants with dis-

abilities know that auxiliary aids and services and reasonable accommodations are available. CDCs should conduct self-evaluations to identify any barriers to program access for people with disabilities, including any discriminatory policies or practices and architectural barriers. After identifying barriers, CDCs should work with court and county personnel to modify policies and practices and, if required, develop a transition plan for bringing facilities into compliance with federal and state disability laws.

What role should CDCs play in the accommodations/modifications process?

In some cases, a CDC may be able to arrange for reasonable modifications or auxiliary aids or services, such as a sign language interpreter or CART services, without consulting the judge. But often the CDC will act as a liaison between the person requesting the modification or auxiliary aid or service and the judge. If appropriate, the CDC may recommend to the judge that a request be granted. However, in many cases, whether the request is denied or granted will be at the judge's discretion.

If a request is denied, the CDC should work with the judge and person making the request to come up with an alternative means of providing program access. Ultimately, the CDC should inform the person making the request in writing whether the modification or auxiliary aid or service will be

provided and handle any grievances related to the request.

CDCs should not feel obligated to provide legal advice or legal services or become involved in the merits of a case. Rather, court participants with disabilities should be referred to a local bar association or Center for Independent Living if they request legal advice or legal services.

How can CDCs assist people with disabilities?

CDCs should recommend programs or activities that promote the inclusion of people with disabilities in the judicial setting. Recommendations may include purchasing screen reader software and training staff to use it, creating a pamphlet on access to the court and its services or ensuring the provision of signs to indicate accessible entrances.

CDCs should help people with disabilities feel welcome in the courthouse and make any arrange-

ments necessary to ensure that their needs are met. CDCs should inform people with disabilities of court procedures in a manner that is understandable to them. CDCs can also form relationships with their local Center for Independent Living (CIL). CILs can help CDCs better understand the needs of people with disabilities in the court system.

How will the Disability Rights Bureau assist CDCs?

The Disability Rights Bureau stands ready to assist CDCs with any questions they may have about disability laws in the judicial setting. The Bureau provides additional training to CDCs periodically. In addition, the Bureau offers technical assistance regarding specific issues, such as the appropriateness of specific modifications or auxiliary aids or services. The Bureau will also keep CDCs informed of changes in the law that may impact their responsibilities or be of interest to them.

APPENDIX A: Resources

■ STATE AGENCIES

Office of the Illinois Attorney General
Civil Rights Bureau
James R. Thompson Center
100 West Randolph Street
Chicago, IL 60601
(312) 814-3400 (Voice)
(800) 964-3013 (TTY)
www.illinoisattorneygeneral.gov/rights/civilrights.html

Enforces state and federal civil rights laws to prohibit discrimination in Illinois. Advocates for legislation to strengthen civil rights laws and participates in community outreach.

Illinois Department of Human Services
Office of Rehabilitation Services
535 West Jefferson Street, 1st Floor
Springfield, IL 62702
(217) 782-4830 (Voice)
(888) 440-8990 (TTY)
www.dhs.state.il.us

Assists court personnel in identifying local services, vendors and resources such as sign language interpreters or CART (Computer Assisted Real-Time Translation) services, for individuals who are deaf, hard of hearing or late deafened. Aids the courts by providing disability awareness training and resources for accessibility site surveys upon request.

Illinois Deaf and Hard of Hearing Commission
528 South Fifth Street, Suite 209
Springfield, IL 62710
(877) 455-3323 (Voice)
(217) 303-8010 (Videophone)
(888) 261-2698 (TTY)
(217) 557-4492 (Fax)
www.idhhc.state.il.us

Advances the interests of Illinois citizens with hearing loss by advocating for systemic improvements and promoting cooperation among entities who serve people who are deaf and hard of hearing. Disseminates related information and licenses sign language interpreters.

Illinois Historic Preservation Agency
313 South Sixth Street
Springfield, IL 62701

(217) 785-4512
(888) 440-9009 (TTY)
www.illinois.gov/ihpa/

Provides assistance and information regarding the application of technical accessibility standards to historic buildings.

Illinois Capital Development Board
William G. Stratton Building
401 South Spring Street, 3rd Floor
Springfield, IL 62706
(217) 782-2864 (Voice)
(217) 524-4449 (TTY)
www.illinois.gov/cdb

Issues standards for accessible design in Illinois. Oversees construction, renovation and rehabilitation of state facilities. Provides interpretation of the Illinois Accessibility Code.

Illinois Guardianship and Advocacy Commission
160 North LaSalle, Suite 500
Chicago, IL 60601
(312) 793-5900 (Voice)
(866) 333-3362 (TTY)

401 South Spring Street
Springfield, IL 62706
(217) 785-1540 (Voice)
(866) 333-3362 (TTY)
www.gac.state.il.us

May assist the court in proceedings for the appointment of a guardian and may assist in the supervision of persons and agencies that have been appointed as guardians. Serves as a guardian of last resort for eligible persons and may petition for appointment of any other person as guardian under certain conditions.

Illinois Council on Developmental Disabilities
James R. Thompson Center
100 West Randolph 10-601
Chicago, IL 60601
(312) 814-2080 (Voice)
(312) 814-7151 (TTY)
www.state.il.us/agency/icdd

Provides services for people with disabilities to promote independence.

COOK COUNTY

Cook County State's Attorney's Office Disability
Victim-Witness Coordinator
69 West Washington, Suite 700
Chicago, IL 60602
(312) 603-8647 (Voice)
(773) 869-7494 (TTY)
www.statesattorney.org

Acts as a liaison between victims with disabilities and prosecutors. Also provides various accommodations and services, including but not limited to transportation to and from court, answering questions victims may have about their rights and pairing victims with various organizations that may be able to assist them.

CHICAGO

Mayor's Office for People with Disabilities
City Hall, Room 104
121 North LaSalle Street
Chicago, IL 60602
(312) 744-7050 (Voice)
(312) 744-3314 (Fax)
(312) 744-4964 (TTY)
www.cityofchicago.org/city/en/depts/mopd.html

2102 West Ogden Avenue
Chicago, IL 60602
(312) 744-6673 (Voice)
(312) 744-7833 (TTY)

Advances the independence of people with disabilities through systemic change. Offers employment services, independent living services, assistive technology, training, architectural services, housing assistance, youth services, disability resources and information and referral services.

■ ILLINOIS ASSOCIATIONS AND ORGANIZATIONS

COMMUNICATION/HEARING

Illinois Relay Center
Call 711 for deaf and speech impaired communication over the telephone.
www.illinoisrelay711.com

Chicago Hearing Society
2001 North Clybourn Avenue
Chicago, IL 60604
(773) 248-9121 (Voice)
(773) 248-9174 (TTY)
www.chicagohearingsociety.com

Offers a variety of services that include case management, peer counseling, advocacy and information and referrals to persons who are deaf or hard of hearing.

C.A.I.R.S. (Chicago Area Interpreter Referral Service)
17 North State Street, Suite 1650
Chicago, IL 60602
(312) 895-4300 (Voice)
(866) 401-0923 (Videophone)
www.cairs.net

Provides oral/sign language interpreting services in the legal setting. Also provides Interpreter Skills Assessment Screening (ISAS) to determine which situations an interpreter is qualified to interpret.

Jacksonville Community Center for the Deaf
907 West Superior
Jacksonville, IL 62650
(800) 468-9211 (Voice/TTY)
(217) 245-0429 (Voice/TTY)

Provides interpreter referral services.

COGNITIVE DISABILITIES

The Arc of Illinois
20901 LaGrange Road
Frankfort, IL 60423
(815) 464-1832 (Voice)
www.thearcofil.org

Acts on behalf of individuals with developmental disabilities.

MENTAL HEALTH DISABILITIES

Mental Health Association of Greater Chicago
125 South Clark, Suite 1820
Chicago, IL 60603
(312) 781-7780
www.mentalhealthchicago.org

Provides education, information, referrals and advocacy for people with mental health disabilities.

Mental Health Association of Illinois
70 East Lake Street, Suite 900
Chicago, IL 60601
(312) 368-9070
www.mhai.org

Works to promote mental health, prevent mental illnesses and improve the care and treatment of persons with mental health disabilities.

National Alliance on Mental Illness (NAMI), Illinois
218 West Lawrence
Springfield, IL 62704
(217) 522-1403 (Voice/TTY)
(800) 346-4572 (Voice/TTY)
il.nami.org

Provides education and support programs, and works to increase public awareness and understanding of mental illness.

VISUAL DISABILITIES

The Chicago Lighthouse
1850 West Roosevelt Road
Chicago, IL 60608
(312) 666-1331 (Voice)
(312) 666-8874 (TTY)
www.chicagolighthouse.org

Provides various job related training programs and rehabilitation services for children, youth and adults who are blind or have low vision.

EDUCATIONAL DISABILITIES

Family Resource Center on Disabilities
11 East Adams Street
Chicago, IL 60603
(312) 939-3513 (Voice)
(800) 952-4199 (Voice)
(312) 939-3519 (TTY)
www.frcd.org

Conducts free weekly training workshops on the rights of children with disabilities to special education. Publications include a newsletter, pamphlets, fact sheets and “how to” manuals.

Family Matters
1901 South 4th Street, Suite 209
Effingham, IL 62401
(217) 347-5428 (Voice/TTY)
(866) 436-7842 (Toll-Free Voice/TTY)

Provides training for parents and professionals throughout 94 counties in Illinois on topics related to special education.

LEGAL/PUBLIC POLICY

Equip for Equality Chicago Office
20 North Michigan Avenue, Suite 300
Chicago, IL 60602
(800) 537-2632 (Voice)
(800) 610-2779 (TTY)
www.equipforequality.org

Equip for Equality Central Illinois Region
1 West Old State Capitol Plaza, Suite 816
Springfield, IL 62701
(217) 544-0464 (Voice)
(800) 758-0464 (Voice)
(800) 610-2779 (TTY)
(217) 523-0720 (Fax)

Equip for Equality Northwestern Illinois Region
1515 Fifth Avenue, Suite 420
Moline, IL 61265
(309) 786-6868 (Voice)
(800) 758-6869 (Voice)
(800) 610-2779 (TTY)
(309) 797-8710 (Fax)

Equip for Equality Southern Illinois Region
300 East Main Street, Suite 18
Carbondale, IL 62901
(618) 457-7930 (Voice)
(800) 758-0559 (Voice)
(800) 610-2779 (TTY)
(618) 457-7985 (Fax)

Designated by the governor to implement the federally mandated Protection and Advocacy System in Illinois. Provides disability rights education, legal representation and advocacy regarding the full spectrum of disabilities.

Access Living of Metropolitan Chicago
115 West Chicago Avenue
Chicago, IL 60654
(312) 640-2100 (Voice)
(800) 613-8549 (Voice)
(312) 640-2102 (TTY)
www.accessliving.org/

Offers peer-oriented independent living services; public education, awareness and development; individualized and systemic advocacy; legal representation and other enforcement of civil rights on behalf of people with disabilities.

Illinois Family Violence Coordinating Councils
528 South Fifth Street, Suite 200
Springfield, IL 62701
(217) 524-4745 (Phone)
(217) 558-2636 (Fax)
<http://www.ilfvcc.org>

Serves as a forum to improve the institutional, professional and community response to family violence including child abuse, domestic abuse and elder abuse; to engage in education and prevention; to coordinate intervention and services for victims and perpetrators; and to contribute to the improvement of the legal system and the administration of justice.

Center for Disability & Elder Law
79 West Monroe Street, Suite 919
Chicago, IL 60603
(312) 376-1880 (Voice)
www.cdela.org

Provides free legal services to low-income seniors and persons with disabilities in Cook County.

CARPLS (Coordinated Advice & Referral Program for Legal Services)
17 North State Street, Suite 1850
Chicago, IL 60602
Hotline: (312) 738-9200
www.carpls.org

Provides referrals for legal assistance in Cook County.

Prairie State Legal Services
303 North Main Street, Suite 600
Rockford, IL 61101
(815) 965-2134
www.pslegal.org/

Provides free legal services to low-income individuals in the northern half of Illinois (outside Cook County).

To find your local Prairie State regional office:
www.pslegal.org/locations.asp

Telephone counseling line staffed by attorneys:
(800) 531-7057

Land of Lincoln Legal Services
8787 State Street, Suite 202
East Saint Louis, IL 62203
(618) 398-0574 (Voice)
www.lollaf.org

Provides free legal services to low-income individuals in southern and central Illinois.

Illinois Legal Aid Online
illinoislegalaidonline.org/

Develops technology and information to increase access to justice for Illinois residents.

ASSISTIVE TECHNOLOGY

University of Illinois at Chicago Assistive Technology Unit
1640 West Roosevelt Road, Room 415
Chicago, IL 60608
(312) 413-1555 (Voice)
(312) 413-1554 (TTY)
www.uic.edu

Offers a variety of technology services. Specialties include home accessibility, work site, communication, computers, wheelchairs and controls.

Northern Illinois Center for Adaptive Technology
3615 Louisiana Road
Rockford, IL 61108
(815) 229-2163 (Voice)
www.ataccess.org

Specializes in computer accessibility and environmental controls. Offers a demonstration center as well as assessment and recommendation services.

Illinois Assistive Technology Project
1 West Old Capitol Plaza, Suite 100
Springfield, IL 62701
(217) 522-7985 (Voice)
(217) 522-9966 (TTY)
www.iltech.org

Provides information regarding funding options, manufacturers and vendors for different types of assistive equipment and services available in Illinois. Provides training on the various products and choices available for people with disabilities.

ILLINOIS CENTERS FOR INDEPENDENT LIVING

Centers for Independent Living (CILs) provide comprehensive information regarding services available to help people with disabilities live independently, such as accessible housing, transportation, employment opportunities and personal assistants. Twenty-three CILs serve Illinois and the service locations can be found at <http://www.incil.org/locations.asp>.

■ FEDERAL AGENCIES

U.S. Department of Justice, Disability Rights Section
950 Pennsylvania Avenue, NW
Civil Rights Division
Washington, D.C. 20530
(800) 514-0301 (Voice)
(800) 514-0383 (TTY)
ada.gov

Enforces Titles II and III of the Americans with Disabilities Act. Provides technical assistance on the ADA.

Under Project Civic Access, the Department has helped hundreds of municipalities and counties become compliant with the ADA. For more information, go to www.ada.gov/civicac.htm.

U.S. Equal Employment Opportunity Commission
131 M Street, N.E.
Washington, D.C. 20507
(800) 669-EEOC (Voice)
(202) 663-4493 (TTY)
www.eeoc.gov

Enforces Title I of the Americans with Disabilities Act, which covers people with disabilities in the workplace.

Federal Communication Commission, Disability Rights Office
445 12th Street SW
Washington, D.C. 20554
(888) 225-5322 (Voice)
(888) 835-5322 (TTY)
dro@fcc.gov
www.fcc.gov

Addresses disability-related telecommunications matters, including telecommunications relay service, access to telecommunications equipment and services by people with disabilities, access to emergency information and closed captioning. In addition, the office provides expert advice and assistance on issues relevant to people with disabilities and initiates rule making for the development of policies to ensure that communications are accessible.

Federal Technical Assistance Organizations
Great Lakes ADA Center
University of Illinois at Chicago
Institute on Disability & Human Development (MC 728)
1640 West Roosevelt Road, Room 405
Chicago, IL 60608
(312) 413-1407 (Voice/TTY)

(800) 949-4232 (Voice/TTY)
www.adagreatlakes.org

Provides information, materials, technical assistance and training on the Americans with Disabilities Act.

U.S. Access Board
1331 F Street, NW, Suite 1000
Washington, D.C. 20004-1111
(202) 272-0080 (Voice)
(202) 272-0082 (TTY)
www.access-board.gov

Authors accessibility guidelines and provides interpretations of those guidelines.

Clearinghouse on Disability Information
Office of Special Education and Rehabilitation Services
U.S. Department of Education
550 12th Street, S.W., Room 5133
Washington, D.C. 20202-2550
(202) 245-7307 (Voice)
(202) 205-5637 (TTY)
(202) 245-7636 (Fax)
www.ed.gov

Provides information on disabilities, including federal funding for disability-related programs. Clearinghouse staff refers requests to other sources when necessary.

Job Accommodation Network
P.O. Box 6080
Morgantown, WV 26506-6080
(800) 526-7234 (Voice)
(877) 781-9403 (TTY)
askjan.org

Provides information and referrals for accommodating individuals with disabilities in the workplace and offers Title II accommodations.

■ STATE COURTS

Administrative Office of the Illinois Courts
3101 Old Jacksonville Road
Springfield, IL 62704
(217) 558-4490
(217) 785-3905 (Fax)

222 N. LaSalle Street, 13th floor
Chicago, IL 60601
(312) 793-3250
(312) 793-1335 (Fax)
www.state.il.us/court/Administrative/Contact.asp

Provides advisement and support to the Illinois Supreme, Appellate and Circuit Courts throughout the state on many aspects of the judiciary including court programs, education, probation support and training.

National Center for State Courts
300 Newport Avenue
Williamsburg, VA 23185
(800) 616-6164 (Voice)
(757) 220-0449 (Fax)
www.ncsc.org

Provides information on the application of the Americans with Disabilities Act to state court systems. Aids courts in making court services and programs more accessible to people with disabilities on a contractual basis.

■ ASSOCIATIONS

Communication/Hearing Disabilities

American Speech-Language-Hearing Association
10801 Rockville Pike
Rockville, MD 20852
(301) 296-5700 (Voice)
(301) 296-5650 (TTY)
(301) 296-8580 (Fax)
asha.org

Provides information and technical assistance on overcoming communication barriers. Helps with communication problems, interpreters, assistive devices, hearing aids and job modifications.

National Association of the Deaf
8630 Fenton Street, Suite 820
Silver Spring, MD 20910
(301) 587-1788 (Voice)
(301) 587-1789 (TTY)
(301) 587-1791 (Fax)
www.nad.org

Offers information and referrals on deafness and accommodations for people who are deaf or hard of hearing.

Visual Disabilities

National Federation of the Blind
200 East Wells Street
Baltimore, MD 21230
(410) 659-9314 (Voice)
(410) 685-5653 (Fax)
www.nfb.org

Provides public education about blindness, information and referral services, scholarships, literature and publications about blindness, aids and appliances and other adaptive equipment for the blind, advocacy services and protection of civil rights, development and evaluation of technology and support for blind persons and their families.

Cognitive Disabilities

Autism Society of America
4340 East-West Hwy, Suite 350
Bethesda, MD 20814
(301) 657-0881 (Voice)
www.autism-society.org

Promotes awareness of and provides information about autism.

Other Disability Organizations

American Bar Association
Commission on Mental and Physical Disability Law
740 15th Street, N.W.
Washington, D.C. 20005
(202) 662-1570 (Voice)
(202) 662-1012 (TTY)
(202) 442-3439 (Fax)
www.abanet.org/disability

Provides a number of publications on disability law, including the Mental and Physical Disability Law Reporter.

National Organization on Disability
1625 K Street N.W., Suite 802
Washington, D.C. 20006
(202) 293-5960 (Voice)
(202) 293-5968 (TTY)
www.nod.org

Works with cities and towns across the nation to help them provide more opportunities for people with disabilities. Also provides information and referral services for individuals.

Abilities, Inc.
210 I.U. Willets Road
Albertson, NY 11507-1599
(516) 465-1400 (Voice)
(516) 747-5355 (TTY)
www.ncds.org

Provides informational and technical assistance services to organizations interested in employing and accommodating individuals with disabilities. Materials and individualized consultations are provided on all kinds of issues impacting a broad range of disabilities.

National Rehabilitation Information Center
8400 Corporate Drive, Suite 500
Landover, MD 20785
(301) 459-5900 (Voice)
(301) 459-5984 (TTY)
www.naric.com

Produces REHABDATA, a database on disability and rehabilitation. The database describes over 70,000 documents covering physical, mental and psychiatric disabilities, independent living, vocational rehabilitation, special education, assistive technology, law, employment and other issues related to people with disabilities.

Epilepsy Foundation
8301 Professional Place
Landover, MD 20785
(800) 332-1000 (Voice)
(310) 577-2684 (Fax)
www.epilepsyfoundation.org

Provides information and assistance to the public on epilepsy and seizures, including accommodations and first aid.

American Diabetes Association
1701 North Beauregard
Alexandria, VA 22311
(800) 342-2383 (Voice)
(703) 549-6995 (Fax)
www.diabetes.org

Provides written materials on diabetes and answers general questions from the public about diabetes and its management.

National Multiple Sclerosis Society, Greater Illinois Chapter
525 West Monroe Street, Suite 900
Chicago, IL 60661
(312) 421-4500 (Voice)
(312) 421-4544 (Fax)
www.nationalmssociety.org

Provides information and technical assistance for multiple sclerosis, including suggesting accommodations for specific individuals.

■ ADA AND DISABILITY-RELATED WEBSITES

Illinois Attorney General's Office
www.illinoisattorneygeneral.gov/rights/disabilityrights.html

U.S. Department of Justice ADA Home Page
www.ada.gov

Center for Legal and Court Technology
William and Mary Law School
www.legaltechcenter.net

National Center for State Courts
www.ncsc.org

Assistive Technology Links
assistivetech.net/

Equip For Equality
www.equipforequality.org

U.S. Access Board
www.access-board.gov

Great Lakes ADA Center
www.adagreatlakes.org

Illinois Network of Centers for Independent Living
www.incil.org/

Illinois ADA Project
www.ada-il.org

APPENDIX B: Supreme Court of Illinois Policy on Access for Persons with Disabilities

I. Introduction

The Americans with Disabilities Act (ADA), a federal civil rights statute for individuals with disabilities, requires all state and local governmental entities, including the courts, to accommodate the needs of individuals with disabilities to ensure equal access to court activities, programs, and services (programs). The Supreme Court of Illinois (Court) has adopted the following policy and procedures to ensure reasonable accommodations, auxiliary aids, and services to persons with disabilities who wish to participate in Court programs.

II. Policy

It is the policy of the Court to ensure that communications with and accommodations for individuals with disabilities and without disabilities are equally effective, consistent with the requirements of Title II of the ADA. Whenever necessary, the Court will provide, free of charge, the appropriate auxiliary aids and services to ensure that individuals with disabilities have an equal opportunity to participate in and benefit from any Court program. This policy applies to all members of the public who seek to participate in the Court's programs.

III. Services and Accommodations

Auxiliary aids and services include a wide range of services and devices that promote effective communication with persons with disabilities. Examples of auxiliary aids and services for individuals with disabilities include qualified sign language interpreters, assistive listening devices, and real-time transcription services. The Court may also provide any other reasonable accommodation necessary to permit a person with impairments or disabilities to fully and equally participate in or to observe Court programs.

IV. Notice that Accommodations are Available

The Court Disability Coordinator (CDC) shall provide notice that appropriate accommodations are available to ensure that individuals with disabilities have an equal opportunity to participate in Court programs by posting notice containing the information on the form attached as Exhibit A in the Supreme Court Clerk's offices in Springfield and Chicago and on the Court's website.

V. Request for Accommodations

The CDC shall provide a request form to individuals who wish to request services or accommodations for persons with disabilities. The request form, attached as Exhibit B, shall be available on the Court's website and in the Supreme Court Clerk's offices in Springfield and Chicago.

Whenever possible, a request for accommodation or services shall be made fourteen (14) days in advance of the proceeding or program. The request shall be as specific as possible and include a description of the accommodation sought and the date the accommodation is needed. The request shall be mailed to the Court Disability Coordinator, c/o Clerk of the Supreme Court, 200 East Capi-

tol Avenue, Springfield, IL 62701 or e-mailed to ADACoordinator@IllinoisCourts.gov. The CDC shall respond in writing, and, where appropriate, in a format accessible to the requestor, within seven (7) days from the date the request was received.

The CDC will give “primary consideration” to the request of individuals with disabilities. “Primary consideration” means that the Court will honor the choice of the individual, unless it demonstrates that another equally effective accommodation is available, or that the requested accommodation would result in a fundamental alteration of Court activities or undue financial and administrative burdens.

VI. Grievance Procedure

Individuals have the right to file a grievance when they believe the Court and its employees have not complied with the provisions of this policy or the request for accommodations procedure. The grievance shall be filed within seven (7) days after the person filing the complaint becomes aware of the action or inaction. A complaint shall be in writing, using the Court’s grievance form, attached as Exhibit C. The grievance shall contain the name and address of the person filing the complaint, and briefly describe the alleged violation. The complaint may be mailed or e-mailed to the attention of the CDC.

Within seven (7) days after receipt of a grievance, the CDC or a designee may meet with the grievant, either in person or by telephone, to discuss the complaint and possible resolutions, if the CDC or designee determines such a meeting would be helpful to a determination. Within seven (7) days after the meeting, or within fourteen (14) days after receipt of the complaint if there is no meeting, the CDC shall respond in writing, and, where appropriate, in a format accessible to the grievant.

If the response by the CDC does not resolve the issue to the satisfaction of the grievant, the grievant may within seven (7) days of the date of the CDC’s written response, appeal the decision to the Chief Justice of the Supreme Court of Illinois, c/o Clerk of the Supreme Court, at the mail or e-mail address provided under paragraph V. Any appeal shall be in writing. Within fourteen (14) days after receipt of the appeal, the Chief Justice will respond in writing to the grievant with a final resolution of the grievance or complaint.

Adopted April 6, 2012, effective immediately; amended August 3, 2012, effective immediately.

Supreme Court of Illinois
Notice of Accommodation Availability

NEED ACCOMMODATION FOR A DISABILITY?

Hearing, Visual, and other assistance may be arranged

Contact the Court Disability Coordinator, c/o Clerk of the Supreme Court, 200 East Capitol Avenue, Springfield, IL 62701 or ADACoordinator@IllinoisCourts.gov

It is the policy of the Supreme Court of Illinois that:

- communications with individuals with disabilities are as effective as communications with individuals without disabilities;
- individuals with disabilities have an equal opportunity to participate in and benefit from all Court activities.

If you require accommodations, auxiliary aids, or other services in order to participate in Court activities, please make your request to the Court Disability Coordinator.

Requests shall be made in writing on forms provided by the Court.

Copies of the following documents are available upon request in the Clerk of the Supreme Court's offices in Springfield and Chicago and on the Court's web site, www.IllinoisCourts.gov

- Policy on Access for Persons with Disabilities
- Request for Accommodations Form
- Grievance Form

EXHIBIT A

Supreme Court of Illinois
Request for Accommodation under the Americans with Disabilities Act
(REQUEST TO REMAIN CONFIDENTIAL)

Date: _____

Please Print:

Name of person requesting accommodation: _____

Address: _____

Daytime phone number: _____ E-mail: _____

Type of accommodation requested (please be specific): _____

Date accommodation is needed: _____

Location where accommodation is needed: _____

Please send a copy of the completed form by mail to:

Court Disability Coordinator
Office of the Supreme Court Clerk
200 East Capitol Avenue
Springfield, IL 62701
or by e-mail to: ADACoordinator@IllinoisCourts.gov

Phone: (217) 782-2035

TDD: (217) 524-8132

Please sign to verify the foregoing information: _____

Please print name: _____

Office Use Only:

Accommodation: _____ granted: _____ denied: _____

Requestor notified on: _____ via: _____

Type of accommodation: _____

Comments: _____

EXHIBIT B

**Supreme Court of Illinois
Americans with Disabilities
Grievance Form**

Date: _____

Name of grievant: _____

Address: _____

Daytime Phone Number: _____ E-mail: _____

Type of Accommodation requested: _____

Description of the alleged violation (please be specific): _____

Please send a copy of the completed grievance form to:

**Court Disability Coordinator
Office of the Supreme Court Clerk
200 East Capitol Avenue
Springfield, IL 62701
or by e-mail to: ADACoordinator@IllinoisCourts.gov**

**Phone: (217) 782-2035
TDD: (217) 524-8132**

Signature: _____

Print Name: _____

Date: _____

EXHIBIT C

APPENDIX C: Sample Website Description of Accommodations from Lake County



Nineteenth Judicial Circuit Court of Lake County, Illinois
Serving the Citizens of Lake County, IL

[Home](#) [For Attorneys](#) [For Jurors](#) [For Educators](#) [For the Media](#) [Site Map](#)

Search

[Find it Quick](#) | [FAQ's](#) | [Our Organization](#) | [Services & Programs](#) | [Resources](#) | [Court Calendars](#)

Services & Programs

Access to the Court for People with Special Needs

The Nineteenth Judicial Circuit of Illinois is proactive in providing equal access to the court for people with special needs. The following are some of the initiatives provided by the court.

Assisted Listening Devices for Courtrooms

Each courtroom and jury room is equipped with an infrared assistive listening system. This system includes stationary infrared emitter/receiver units in each location and portable infrared receivers with a choice of stereo lightweight headphones, neckloops or silhouette inductors for use with the individual's personal hearing aids. Contact the court officer, Jury Commission or Court Administration to check-out a device.

Building Access and Accommodations

The buildings and facilities used by the courts are fully compliant with the Americans with Disabilities Act building and signage requirements.

Payphones equipped with TTY Devices

There are three payphones equipped with TTY text telephones available to the public. One is located in the main lobby near the law library and a second is inside the Jury Commission room of the main courthouse. A third unit is located in the second floor hallway of the Babcox Center complex. Instructions on how to use the telephones are on the front of each device.

Reading Scanner for Sight Impaired

The Ambassador Pro Reading Machine is used to assist visually challenged individuals by scanning a page of text and then reading it aloud to the user. It is located in the Lake County Law Library.

Real-time Court Reporters for Hearing Impaired available upon request

Court Reporters capable of real-time captioning are available by prior arrangement in court cases involving hearing-impaired participants. Through this technology, the court reporter's symbols are fed into the computer which are then translated into the English language and appear on the computer screen to allow the deaf or hearing-impaired person to read the testimony as it is being given in the Court proceeding. Lake County was one of the first counties in Illinois to use the real time reporting system for a juror during a jury trial.

Reserved Parking for Persons with Disabilities

There are numerous reserved parking spaces located within easy access near the entrances to our facilities. Two parking places are reserved at the corner of Washington Street and Martin Luther King Jr. Avenue (Formally Utica Street) for jurors summoned for jury duty. To use one of the parking spaces interested jurors should contact the Jury Commission at 847-377-4600.

Sight Impaired Appliance for Public Access Research Computer

A special magnifying screen is attached to one of the Public Access Research Computers, allowing patrons to view enlarged images of the various materials that can be found on the computer for legal research.

Sign Language Interpreters

Whenever a deaf person is party to any legal proceeding, chosen as a juror, or called as a witness, the Court in all instances appoints a qualified, nationally certified interpreter of sign language to interpret the proceedings. In the case of a deaf juror, the interpreter shall be available throughout the actual trial and may accompany and communicate with such juror throughout any period during which the jury is sequestered or engaged in its deliberations.

Contact Us

Nineteenth Judicial Circuit
Court Admin, 1st Floor
18 N County Street
Waukegan, IL 60085-4359

Phone: (847) 377-3600
TDD: (847) 360-2975

Contacts by Divisions

Frequently Called:

- Juror Info (847) 249-5879
- Circuit Clerk(847) 377-3380
- Law Library (847) 377-2800

Quick Links

- Calendars & Schedules
- Copier, FAX & Printing Services
- Courtroom Assignments
- Court Forms
- Court Interpreters
- Court Reporters - Transcripts
- Court Security Brief
- Facilities Information
- Judges of Lake County
- Law Library
- Lists (Mediators, etc.)
- Local Court Rules
- Useful Web Links

Telecommunication Devices for the Deaf

The court and county have installed and maintain Telecommunication Devices for the Deaf (TTY) text telephone devices at the following locations. Each location is equipped with an Ultratec TTY text telephone and printer.

Lake County TTY Telephones

Court Administration	1-847-360-2975	Adult Probation Services	1-847-625-2783
Law Library	1-847-360-6410	Juvenile Probation Services	1-847-634-3383
Jury Commission	1-847-625-7416	County Clerk	1-847-377-2022

Illinois Relay Center

The Illinois Relay Center makes it possible for hearing-impaired and/or speech-impaired TTY phone customers to call persons or businesses without TTYs.

A person who uses a TTY types their conversation to a relay operator, who then reads aloud the typed conversation to the person at the other end of the line. The operator then types that person's spoken words and relays them to the TTY user. Illinois Relay is a free service, provided 24 hours a day, 7 days a week, 365 days a year. All calls are confidential.

English		Spanish	
TTY Users	1-800-526-0844		
Voice Users	1-800-526-0857		
Voice Carryover	1-877-826-1130	TTY Users	1-800-501-0864
Speech to Speech	1-877-526-6690		
ASCII	1-877-526-6680		
Telebraille	1-877-526-6670		

VideoEye Reader for Sight Impaired

The VideoEye Reader uses a closed-circuit camera to assist users in viewing the pages of a book or magazine. The system uses the closed-circuit camera to enlarge images and show them on a television screen. The VideoEye device is mounted on a portable cart and can be moved to other parts of the Lake County courthouse as needed.

Battery-operated Scooter

A battery-operated scooter is available at the north entrance of the Lake County Courthouse with proper ID. To obtain the keys, see the employee located at the Information booth in the main lobby.

Wheelchair Availability

Wheelchairs are available at the north entrance of the Lake County Courthouse. Security at the entrance can direct patrons to their location.

The court is open to your suggestions to enhance your access to our facilities and services. Please email your comments and suggestions for the court to: courts@lakecountyil.gov.

APPENDIX D: Sample Juror Summons and Request for Accommodation for Jury Service from Cook County

SUMMONS TO APPEAR FOR JURY SERVICE

BY ORDER OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS, YOU ARE HEREBY SUMMONED TO APPEAR FOR JURY SERVICE ON THE DATE AND TIME AT THE COURT INDICATED BELOW.



JUROR NUMBER	SERVICE DATE	TIME

FAILURE TO OBEY THIS SUMMONS MAY BE PUNISHABLE BY A FINE. PLEASE FILL IN THE FORM ON THE REVERSE SIDE OF THIS SUMMONS AND BRING IT ALONG WITH YOU WHEN YOU REPORT. IF YOU REQUIRE ADDITIONAL INFORMATION, PLEASE CALL 312-603-5879 (JURY).

PLEASE NOTE: ALL OF THE COURTHOUSES TO WHICH JURORS ARE SUMMONED ARE ON THE ONE DAY/ONE TRIAL JURY SYSTEM. IF YOU ARE NOT SELECTED TO BE A JUROR FOR A TRIAL, YOU WILL SERVE ONLY ONE DAY AND BE DISCHARGED. HOWEVER, IF YOU ARE IN A COURTROOM FOR JURY SELECTION AT THE END OF THE DAY OR ARE SELECTED TO SIT ON A JURY, YOU MUST RETURN TO COURT EVERY DAY UNTIL DISCHARGED BY THE TRIAL JUDGE.

BE PREPARED TO STAY UNTIL AT LEAST 4:30 P.M.
BRING SOMETHING WITH YOU TO READ.
BRING CHANGE FOR VENDING MACHINES.
PLEASE READ "IMPORTANT INFORMATION FOR JURORS".
PLEASE DRESS APPROPRIATELY, SHORTS ARE NOT ACCEPTABLE.

(Please separate and bring top half with you.)

IMPORTANT INFORMATION FOR JURORS

- If you are 70 years of age or older and wish to be excused from jury service or to be assigned to a different courthouse, you may call 312-603-5879 (JURY) and the court will accommodate you.
- Read your summons carefully so that you know exactly when and where to report.
- If employed, immediately notify your employer of your summons to jury service.
- You will be asked to go through a metal detector before entering the courthouse.
- Cameras and radios are not allowed. Jurors are exempt from the court's electronic device ban. Cell phones and laptops may be used in the jury assembly room but must be turned off when you are sent to a courtroom. Show your summons to security upon entering the courthouse.
- If you have dietary restrictions or other special needs, you may contact Jury Administration (312) 603-5879 for further information.
- For deaf or hard of hearing services (sign language, assistive listening devices, real-time captioning, etc.), please contact Interpreter Services as soon as you receive your summons, as confirmation is needed within (10) business days prior to your service date. (TDD/TTY) 773-674-3213, (Voice) 312-603-5879 or (Email) - ocj.deafhardofhearingaccess@cookcountyil.gov
- For more information regarding jury service, visit our website at <http://www.cookcountycourt.org>

HARDSHIP AND MEDICAL EXCUSES

If you believe you qualify to be excused from jury service because of undue hardship or medical reasons, you must submit a request in writing. Attach any documentation that supports your request, such as a doctor's letter, and mail to:

Jury Administration, Richard J. Daley Center, Room 1000, 50 W Washington St., Chicago, Illinois, 60602.

For more information on being excused from jury service because of undue hardship or medical reasons, call 312-603-5879 (JURY) or (TDD/TTY) 773-674-3213.

PUBLIC TRANSPORTATION FROM CHICAGO TO COURTHOUSE DAY AND EARLY EVENING

All Cook County Courthouses can be reached by public transportation. To create an itinerary over the phone, or for the most current routes and schedules for both city and suburb via - ADA PARATRANSIT SERVICE, CTA, METRA, or PACE, call the RTA Travel Information Center or visit their website and use the trip planner.

RTA Travel Information Center
(TDD/TTY)
Trip Planner

312-836-7000 (city or suburb)
312-836-4949 (city or suburb)
www.rtachicago.com

IF YOU HAVE ANY QUESTIONS REGARDING YOUR JURY SERVICE, PLEASE WRITE OR CALL:

JUROR INFORMATION FORM

(PLEASE TYPE OR PRINT IN INK)

1. DATE OF BIRTH: _____	2. AGE: _____
3. YOUR OCCUPATION: _____	MONTH/DAY/YEAR _____
4. YOUR EMPLOYER'S NAME: _____	
5. IS YOUR SPOUSE OR DOMESTIC PARTNER EMPLOYED?	YES NO
6. SPOUSE'S OR DOMESTIC PARTNER'S OCCUPATION: _____	
7. NUMBER OF CHILDREN: _____	8. THEIR AGES: _____
9. HAVE YOU EVER SERVED ON A JURY? WHEN: _____ WHERE: _____	YES NO
10. HAVE YOU EVER BEEN ACCUSED, A COMPLAINANT OR A WITNESS IN A CRIMINAL CASE?	YES NO
11. HAVE YOU EVER BEEN THE VICTIM OF A CRIME?	YES NO
12. HAS ANY MEMBER OF YOUR IMMEDIATE FAMILY OR A VERY CLOSE FRIEND EVER BEEN THE VICTIM OF A CRIME?	YES NO
13. HAVE YOU EVER BEEN A PARTY TO ANY LAWSUIT?	YES NO
14. HAS ANY MEMBER OF YOUR IMMEDIATE FAMILY EVER BEEN A PARTY TO ANY LAWSUIT?	YES NO
15. ARE YOU PRESENTLY A PARTY TO ANY CASE NOW PENDING IN THE CIRCUIT COURT OF COOK COUNTY?	YES NO
16. HAVE YOU EVER BEEN INVOLVED IN AN ACCIDENT WHERE ANY PERSON WAS INJURED?	YES NO
17. YOUR HOME PHONE NUMBER: _____	18. YOUR WORK PHONE NUMBER: _____

SIGNATURE: _____

DATE: _____

PLEASE NOTE: FILL IN THIS FORM AND BRING IT WITH YOU WHEN YOU REPORT FOR JURY DUTY

ARE YOU A CITIZEN OF THE UNITED STATES? YES NO

ARE YOU A RESIDENT OF COOK COUNTY? YES NO

DO YOU UNDERSTAND THE ENGLISH LANGUAGE? YES NO

If you answered no to any of the above questions, please call the office of Jury Administration at 312-603-5879 (JURY).

IF YOU ARE PRESENTLY A PARTY TO ANY CASE PENDING IN THE CIRCUIT COURT OF COOK COUNTY (Please have case number available), CALL THE OFFICE OF JURY ADMINISTRATION AT 312-603-5879 (JURY).

JUROR'S BILL OF RIGHTS

Illinois law protects employees who are called to serve as jurors. The following explains the employment rights of jurors under the Jury Act.

ILCS: Chapter 705-305/4.1

Any person who has been duly summoned for jury duty for either petit or grand jury service, shall be given time off from employment. The employer shall give his employer reasonable notice of required jury service. An employer may not deny an employee time off for jury duty. No employer shall discharge, threaten to discharge, intimidate or coerce any employee by reason of the employee's jury service, or the attendance or scheduled attendance in connection with such service. If an employer gives reasonable notice of required jury service, any employer who violates the provisions of this Section may be charged with civil or criminal contempt of court, or both, to be prosecuted by the State's Attorney, and shall be liable for damages to the employee.

NOTICE OF JUROR RIGHTS UNDER THE AMERICANS WITH DISABILITIES ACT

In compliance with the Americans with Disabilities Act, the Circuit Court of Cook County does not discriminate in employment or provision of services to persons with disabilities. Persons with disabilities who need special arrangements to participate in jury duty, such as a sign language interpreter or an accessible courtroom, should call the Office of Jury Administration at 312-603-5879 (JURY) or 773-674-3213 (TDD/TTY).

CIRCUIT COURT OF COOK COUNTY
Request for Accommodation under the Americans with Disabilities Act
For Jury Service
(REQUEST WILL REMAIN CONFIDENTIAL)

Date: _____

Please Print:

Name of person requesting an accommodation: _____

Address: _____

Daytime phone number: _____ E-mail: _____

Type of accommodation requested (please be specific):

Date and time accommodation is needed: _____

Courthouse where accommodation is needed:

Please send a copy of completed form by mail to:

Disability Coordinator, Office of Jury Administration
Circuit Court of Cook County
50 West Washington Street, Suite 1000
Chicago, Illinois 60602

Or, you may scan the completed form and e-mail to: jury.ada@cookcountyil.gov

Please sign to verify the above information: _____

Please print name: _____

Office Use Only:

Accommodation Request: _____

Requestor notified on: _____ via: _____

Type of accommodation: _____

APPENDIX E: Code of Professional Conduct: Interpreters for the Deaf

(See next page)



CODE OF PROFESSIONAL CONDUCT

Registry of Interpreters
for the Deaf
333 Commerce Street
Alexandria, VA 22314
703/838-0030 (V)
703/838-0459 (TTY)
703/838-0454 (Fax)
www.rid.org

NAD-RID CODE OF PROFESSIONAL CONDUCT

Scope

The National Association of the Deaf (NAD) and the Registry of Interpreters for the Deaf, Inc. (RID) uphold high standards of professionalism and ethical conduct for interpreters. Embodied in this Code of Professional Conduct (formerly known as the Code of Ethics) are seven tenets setting forth guiding principles, followed by illustrative behaviors.

The tenets of this Code of Professional Conduct are to be viewed holistically and as a guide to professional behavior. This document provides assistance in complying with the code. The guiding principles offer the basis upon which the tenets are articulated. The illustrative behaviors are not exhaustive, but are indicative of the conduct that may either conform to or violate a specific tenet or the code as a whole.

When in doubt, the reader should refer to the explicit language of the tenet. If further clarification is needed, questions may be directed to the national office of the Registry of Interpreters for the Deaf, Inc.

This Code of Professional Conduct is sufficient to encompass interpreter roles and responsibilities in every type of situation (e.g., educational, legal, medical). A separate code for each area of interpreting is neither necessary nor advisable.

Philosophy

The American Deaf community represents a cultural and linguistic group having the inalienable right to full and equal communication and to participation in all aspects of society. Members of the American Deaf community have the right to informed choice and the highest quality interpreting services. Recognition of the communication rights of America's women, men, and children who are deaf is the foundation of the tenets, principles, and behaviors set forth in this Code of Professional Conduct.

Voting Protocol

This Code of Professional Conduct was presented through mail referendum to certified interpreters who are members in good standing with the Registry of Interpreters for the Deaf, Inc. and the National Association of the Deaf. The vote was to adopt or to reject.

Adoption of this Code of Professional Conduct

Interpreters who are members in good standing with the Registry of Interpreters for the Deaf, Inc. and the National Association of the Deaf voted to adopt this Code of Professional Conduct, effective July 1, 2005. This Code of Professional Conduct is a working document that is expected to change over time. The aforementioned members may be called upon to vote, as may be needed from time to time, on the tenets of the code.

The guiding principles and the illustrative behaviors may change periodically to meet the needs and requirements of the RID Ethical Practices System. These sections of the Code of Professional Conduct will not require a vote of the members. However, members are encouraged to recommend changes for future updates.

Function of the Guiding Principles

It is the obligation of every interpreter to exercise judgment, employ critical thinking, apply the benefits of practical experience, and reflect on past actions in the practice of their profession. The guiding principles in this document represent the concepts of confidentiality, linguistic and professional competence, impartiality, professional growth and development, ethical business practices, and the rights of participants in interpreted situations to informed choice. The driving force behind the guiding principles is the notion that the interpreter will do no harm.

When applying these principles to their conduct, interpreters remember that their choices are governed by a "reasonable interpreter" standard. This standard represents the hypothetical interpreter who is appropriately educated, informed, capable, aware of professional standards, and fair-minded.



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CODE OF PROFESSIONAL CONDUCT

Tenets

1. Interpreters adhere to standards of confidential communication.
2. Interpreters possess the professional skills and knowledge required for the specific interpreting situation.
3. Interpreters conduct themselves in a manner appropriate to the specific interpreting situation.
4. Interpreters demonstrate respect for consumers.
5. Interpreters demonstrate respect for colleagues, interns, and students of the profession.
6. Interpreters maintain ethical business practices.
7. Interpreters engage in professional development.

Applicability

- A. This Code of Professional Conduct applies to certified and associate members of the Registry of Interpreters for the Deaf, Inc., Certified members of the National Association of the Deaf, interns, and students of the profession.
- B. Federal, state or other statutes or regulations may supersede this Code of Professional Conduct. When there is a conflict between this code and local, state, or federal laws and regulations, the interpreter obeys the rule of law.
- C. This Code of Professional Conduct applies to interpreted situations that are performed either face-to-face or remotely.

Definitions

For the purpose of this document, the following terms are used:

Colleagues: Other interpreters.

Conflict of Interest: A conflict between the private interests (personal, financial, or professional) and the official or professional responsibilities of an interpreter in a position of trust, whether actual or perceived, deriving from a specific interpreting situation.

Consumers: Individuals and entities who are part of the interpreted situation. This includes individuals who are deaf, deaf-blind, hard of hearing, and hearing.

1.0 CONFIDENTIALITY

Tenet: Interpreters adhere to standards of confidential communication.

Guiding Principle: Interpreters hold a position of trust in their role as linguistic and cultural facilitators of communication. Confidentiality is highly valued by consumers and is essential to protecting all involved.

Each interpreting situation (e.g., elementary, secondary, and post-secondary education, legal, medical, mental health) has a standard of confidentiality. Under the reasonable interpreter standard, professional interpreters are expected to know the general requirements and applicability of various levels of confidentiality. Exceptions to confidentiality include, for example, federal and state laws requiring mandatory reporting of abuse or threats of suicide, or responding to subpoenas.

Illustrative Behavior - Interpreters:

- 1.1 Share assignment-related information only on a confidential and "as-needed" basis (e.g., supervisors, interpreter team members, members of the educational team, hiring entities).



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- 1.2 Manage data, invoices, records, or other situational or consumer-specific information in a manner consistent with maintaining consumer confidentiality (e.g., shredding, locked files).
- 1.3 Inform consumers when federal or state mandates require disclosure of confidential information.

2.0 PROFESSIONALISM

Tenet: Interpreters possess the professional skills and knowledge required for the specific interpreting situation.

Guiding Principle: Interpreters are expected to stay abreast of evolving language use and trends in the profession of interpreting as well as in the American Deaf community.

Interpreters accept assignments using discretion with regard to skill, communication mode, setting, and consumer needs. Interpreters possess knowledge of American Deaf culture and deafness-related resources.

Illustrative Behavior - Interpreters:

- 2.1 Provide service delivery regardless of race, color, national origin, gender, religion, age, disability, sexual orientation, or any other factor.
- 2.2 Assess consumer needs and the interpreting situation before and during the assignment and make adjustments as needed.
- 2.3 Render the message faithfully by conveying the content and spirit of what is being communicated, using language most readily understood by consumers, and correcting errors discreetly and expeditiously.
- 2.4 Request support (e.g., certified deaf interpreters, team members, language facilitators) when needed to fully convey the message or to address exceptional communication challenges (e.g. cognitive disabilities, foreign sign language, emerging language ability, or lack of formal instruction or language).
- 2.5 Refrain from providing counsel, advice, or personal opinions.
- 2.6 Judiciously provide information or referral regarding available interpreting or community resources without infringing upon consumers' rights.

3.0 CONDUCT

Tenet: Interpreters conduct themselves in a manner appropriate to the specific interpreting situation.

Guiding Principle: Interpreters are expected to present themselves appropriately in demeanor and appearance. They avoid situations that result in conflicting roles or perceived or actual conflicts of interest.

Illustrative Behavior - Interpreters:

- 3.1 Consult with appropriate persons regarding the interpreting situation to determine issues such as placement and adaptations necessary to interpret effectively.
- 3.2 Decline assignments or withdraw from the interpreting profession when not competent due to physical, mental, or emotional factors.
- 3.3 Avoid performing dual or conflicting roles in interdisciplinary (e.g. educational or mental health teams) or other settings.
- 3.4 Comply with established workplace codes of conduct, notify appropriate personnel if there is a conflict with this Code of Professional Conduct, and actively seek resolution where warranted.
- 3.5 Conduct and present themselves in an unobtrusive manner and exercise care in choice of attire.



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- 3.6 Refrain from the use of mind-altering substances before or during the performance of duties.
- 3.7 Disclose to parties involved any actual or perceived conflicts of interest.
- 3.8 Avoid actual or perceived conflicts of interest that might cause harm or interfere with the effectiveness of interpreting services.
- 3.9 Refrain from using confidential interpreted information for personal, monetary, or professional gain.
- 3.10 Refrain from using confidential interpreted information for the benefit of personal or professional affiliations or entities.

4.0 RESPECT FOR CONSUMERS

Tenet: Interpreters demonstrate respect for consumers.

Guiding Principle: Interpreters are expected to honor consumer preferences in selection of interpreters and interpreting dynamics, while recognizing the realities of qualifications, availability, and situation.

Illustrative Behavior - Interpreters:

- 4.1 Consider consumer requests or needs regarding language preferences, and render the message accordingly (interpreted or transliterated).
- 4.2 Approach consumers with a professional demeanor at all times.
- 4.3 Obtain the consent of consumers before bringing an intern to an assignment.
- 4.4 Facilitate communication access and equality, and support the full interaction and independence of consumers.

5.0 RESPECT FOR COLLEAGUES

Tenet: Interpreters demonstrate respect for colleagues, interns and students of the profession.

Guiding Principle: Interpreters are expected to collaborate with colleagues to foster the delivery of effective interpreting services. They also understand that the manner in which they relate to colleagues reflects upon the profession in general.

Illustrative Behavior - Interpreters:

- 5.1 Maintain civility toward colleagues, interns, and students.
- 5.2 Work cooperatively with team members through consultation before assignments regarding logistics, providing professional and courteous assistance when asked and monitoring the accuracy of the message while functioning in the role of the support interpreter.
- 5.3 Approach colleagues privately to discuss and resolve breaches of ethical or professional conduct through standard conflict resolution methods; file a formal grievance only after such attempts have been unsuccessful or the breaches are harmful or habitual.
- 5.4 Assist and encourage colleagues by sharing information and serving as mentors when appropriate.
- 5.5 Obtain the consent of colleagues before bringing an intern to an assignment.



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6.0 BUSINESS PRACTICES

Tenet: Interpreters maintain ethical business practices.

Guiding Principle: Interpreters are expected to conduct their business in a professional manner whether in private practice or in the employ of an agency or other entity. Professional interpreters are entitled to a living wage based on their qualifications and expertise. Interpreters are also entitled to working conditions conducive to effective service delivery.

Illustrative Behavior - Interpreters:

- 6.1 Accurately represent qualifications, such as certification, educational background, and experience, and provide documentation when requested.
- 6.2 Honor professional commitments and terminate assignments only when fair and justifiable grounds exist.
- 6.3 Promote conditions that are conducive to effective communication, inform the parties involved if such conditions do not exist, and seek appropriate remedies.
- 6.4 Inform appropriate parties in a timely manner when delayed or unable to fulfill assignments.
- 6.5 Reserve the option to decline or discontinue assignments if working conditions are not safe, healthy, or conducive to interpreting.
- 6.6 Refrain from harassment or coercion before, during, or after the provision of interpreting services.
- 6.7 Render pro bono services in a fair and reasonable manner.
- 6.8 Charge fair and reasonable fees for the performance of interpreting services and arrange for payment in a professional and judicious manner.

7.0 PROFESSIONAL DEVELOPMENT

Tenet: Interpreters engage in professional development.

Guiding Principle: Interpreters are expected to foster and maintain interpreting competence and the stature of the profession through ongoing development of knowledge and skills.

Illustrative Behavior - Interpreters:

- 7.1 Increase knowledge and strengthen skills through activities such as:
 - pursuing higher education;
 - attending workshops and conferences;
 - seeking mentoring and supervision opportunities;
 - participating in community events; and
 - engaging in independent studies.
- 7.2 Keep abreast of laws, policies, rules, and regulations that affect the profession.

Office of the Illinois Attorney General Disability Rights Bureau

Chicago Office

James R. Thompson Center
100 West Randolph Street
Chicago, IL 60601
(312) 814-5684 (Voice)
(800) 964-3013 (TTY)
(312) 814-3212 (Fax)

Springfield Office

500 South Second Street
Springfield, IL 62706
(217) 524-2660 (Voice)
(877) 844-5461 (TTY)
(217) 782-1096 (Fax)

www.illinoisattorneygeneral.gov/rights/disabilityrights.html

