

Delaware County ADA Accessibility Policy

As documented in the Delaware County Personnel Policy Handbook

Updated 3.26.2010

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990, Delaware County will not discriminate against qualified individuals with disabilities on the basis of disability in the County's services, program or activities. The County will provide appropriate auxiliary aids and services required by the Americans with Disabilities Act. Persons who seek an accommodation or an auxiliary aid or service to participate in a County program, service, or activity should be directed to the County ADA Coordinator/Human Resources Director at (765) 741-3397. The County will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy.

County employees should assist individuals in reaching the County ADA Coordinator and encourage them to contact the ADA Coordinator. Persons seeking accommodation of a disability should be informed that they should contact the County ADA Coordinator as far in advance of their need for accommodation as possible. If possible, they should contact the County ADA Coordinator no later than forty-eight hours prior to the scheduled time of any function or proceeding for which they seek accommodation. If a party is seeking accommodation in a court proceeding for which they are represented by counsel, it is the responsibility of the attorney to make such request on behalf of his/her client and/or witness.

The Delaware County Justice Center and County building both have an elevator for those persons who cannot climb stairs. Persons who have difficulty climbing stairs and need to or wish to attend proceedings in an inaccessible part of the Courthouse should be encouraged to contact the County ADA Coordinator/Human Resources Director at (765) 741-3397 so that, in accordance with the Americans with Disabilities Act, they can be accommodated.

If an individual with a mobility impairment chooses or is required to attend a proceeding (i.e., party, juror, attorney, witness, spectator, court personnel) that is scheduled to be held in an inaccessible location in one of the buildings referenced below, and if a request to relocate the proceeding is made to the ADA Coordinator at least forty-eight hours prior to the scheduled proceeding, the County ADA Coordinator will take at least the following steps to ensure that the proceeding will be relocated to an accessible location: a) check on and arrange for the reservation of space at the more accessible courtroom facilities within the Justice Center and Administration Building; b) contact the judge who was scheduled to preside over the proceeding to inform him or her of the request to relocate the proceeding to an accessible courtroom and of the availability of a more accessible courtroom; c) ascertain from the judge whether he or she is willing to relocate the proceeding to a more accessible courtroom; d) work with the judge's staff to ensure that parties, jurors, and attorneys who must be present at the proceedings are promptly informed of the new location; and e) post written notice of the new location of the proceedings in conspicuous places near the previously scheduled site for the proceeding.

If an individual with a mobility impairment is required to attend a proceeding (i.e., party, juror, attorney, witness, essential court personnel) that is scheduled to be held in an inaccessible location in one of the buildings referenced below, and if a request to relocate the proceeding is not made to the ADA Coordinator at least forty-eight hours prior to the scheduled proceeding, the County ADA Coordinator will take the steps specified in the preceding paragraph in a good faith effort to relocate the proceeding. In the event that the proceeding is not relocated, the ADA Coordinator shall: a) contact the judge who

was scheduled to preside over the proceeding to propose the postponement of the proceeding; b) ascertain from the judge whether he or she is able and willing to postpone the proceeding; c) work with the judge's staff to ensure that parties, jurors, and attorneys who must be present at the proceedings are promptly informed of the postponement and the revised schedule for the proceeding; and d) post timely written notice regarding the rescheduling of the proceedings in conspicuous places near previously scheduled site for the proceeding.

In the event that a proceeding of the type referenced in the preceding two paragraphs is not relocated to the more accessible courtroom, the ADA Coordinator will keep an accurate record reflecting the specifics of the request and its ultimate disposition, including the reason(s) the proceeding was not relocated and the individual(s) who made the decision not to relocate it. Court proceedings shall only be relocated to another courtroom facility. No court proceeding shall be held in a hallway.

If you have any questions regarding Delaware County's accommodation of persons with disabilities, contact the County ADA Coordinator/Human Resources Director at 765 741-3397.