

DISABILITY ACCESS POLICY AND PROCEDURE FOR GRIEVANCES

It is the policy of the North Carolina Administrative Office of the Courts (NCAOC) to make every reasonable effort to ensure that individuals with disabilities have equal access to the courts. This includes providing resources to help ensure that persons with disabilities receive reasonable accommodations consistent with Title II of the Americans with Disabilities Act (ADA). However, the ADA does not require the NCAOC to make accommodations that would fundamentally alter the nature of its programs or services or impose an undue financial or administrative burden.

The NCAOC has a procedure to resolve complaints alleging action that a Judicial Branch official or employee failed to provide reasonable accommodations. This grievance procedure is informal. An individual's participation in this informal process is completely voluntary. Use of this grievance procedure is not a prerequisite to and does not preclude a complainant from pursuing other remedies available under the law.

PLEASE NOTE:

- **NCAOC provides administrative and operational support for the North Carolina Judicial Branch. NCAOC does not have authority to direct, review, correct, or reverse any action or decision of independently elected or appointed Judicial Branch officials, including Clerks of Superior Court, Judges, and Magistrates.**
- **If a Judge or other official acting in their judicial capacity (e.g., a Magistrate or Clerk presiding over a hearing) denied an accommodation request, the denial may only be reviewed through the regular process of judicial review. NCAOC cannot review a judge's or judicial officer's judicial decision. Examples of accommodations that require a judicial decision may include, but are not limited to: requests for extensions of time or adjournments; changes in the time of day a case will be heard; permission to participate by phone or video; the presence or absence of other persons in the courtroom; or modifications in the way testimony is to be given.**

Step 1. Submit Request for Disability Accommodation(s)

An individual with a disability who needs an accommodation should submit the request through the online form at least ten (10) business days in advance of the court activity at www.nccourts.gov/form/request-for-disability-accommodation or contact the local Disability Access Coordinator (DAC) by phone, email or in person. The written request will be forwarded to the local DAC at [County Name].DAC@nccourts.org. The DAC will review the request and arrange for reasonable accommodations or inform the individual if the requested accommodation is denied. The DAC will refer the request to the presiding judicial official if it requires a judicial decision.

Step 2. Submit Grievance(s)

Grievances must be submitted no later than thirty (30) calendar days from the date of the alleged violation. It can be submitted on-line at www.nccourts.gov/form/disability-access-grievance-form, by postal mail or in person and must contain the following information:



Name, email address and phone number of person on whose behalf the grievance is being made;

The Judicial Branch location in which the violation is alleged to have occurred;

A complete statement of the grievance and the facts upon which it is based, including the case number(s);

The desired remedy or solution.

The NCAOC's Disability Access Coordinator will conduct an independent investigation and communicate those results and the chosen course of action no later than sixty (60) business days from the date the grievance was submitted by the complainant.

Step 3. Submitting an Appeal

If the response to the grievance does not satisfactorily resolve the issue, the complainant may appeal the decision within fifteen (15) calendar days of receipt of the NCAOC DAC's response. The appeal should include the original grievance, NCAOC DAC's response and a description of issues for reconsideration. Upon timely receipt of a request for review, the Court Programs Director has an additional thirty (30) business days to respond. This will constitute the final agency decision of the NCAOC.

Contact: NC Administrative Office of the Courts
ATTN: Disability Access
P.O. Box 2448
Raleigh, NC 27602

