

COLORADO JUDICIAL BRANCH
Office of Dispute Resolution

ODR Policies and Procedures Manual

Date: July 1, 2011

Subject: **Special Considerations: Compliance with Americans with Disabilities Act ("ADA")**

The Americans with Disabilities Act of 1990 ("ADA") was enacted to prohibit discrimination against people with disabilities. Under Title II of the Act, no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of services, programs or activities of a public entity. This prohibition applies to the state courts and probation departments as providers of public services, programs and activities. People with disabilities are to be given an equal opportunity to access, use and fully participate in court and probation services, programs and activities and not be discriminated against because of their disability.

- The ADA requires that reasonable accommodations/modifications be considered when requested
- ODR Neutrals as independent contractors for the Colorado Judicial Department may be asked by a person with a disability for an accommodation to assist with a disability. The requestor may not mention the Americans with Disabilities Act (ADA) or use legal terminology such as "reasonable accommodation." The request can be as plain or straightforward as "I have a medical condition and need some help." The help may include a Sign Language Interpreter, materials converted to large print, assistive listening devices, questions written down, to name just a few.
- Once an individual indicates he/she is requesting assistance due to a medical condition, you should treat it as a request for an ADA accommodation/modification and notify the local ADA Coordinator immediately. You can access the following link to view a list of ADA Coordinators for the Colorado Judicial Department.
http://www.courts.state.co.us/Administration/HR/ADA/Coordinator_List.cfm.
- If you are unsure if a request falls under the ADA, please contact your local ADA Coordinator, Human Resources Analyst or the Statewide ADA Coordinator Janel Bravo at 303-837-3621 or janel.bravo@judicial.state.co.us before responding.
- Our goal should be to respond as quickly as possible to an accommodation/modification request due to a medical condition. Do not be intimidated because you feel you are not an expert in the ADA field. You must, however, be able to identify when someone is making a request that may be covered under the ADA and consult with your local ADA Coordinator as soon as possible to ensure appropriate action is taken.