



STATE OF MICHIGAN
17TH JUDICIAL CIRCUIT COURT

PAUL J. SULLIVAN
CIRCUIT JUDGE

SUITE 10500 C
180 OTTAWA AVENUE NW
GRAND RAPIDS, MICHIGAN 49503-2751

Date: August 13, 2015

To: All Judges
All Court Administrators

From: Judge Paul J. Sullivan, Chairman
Trial Court Performance Measures Committee

Re: Americans with Disabilities Act (ADA) Performance Measure

On July 24, 2015, the Trial Court Performance Measures Committee (Committee) met to discuss performance measures in the trial courts. During the discussion the State Court Administrative Office (SCAO) raised the concept of an ADA performance measure. SCAO indicated that an ADA performance measure would strengthen the courts' ability to comply with the ADA and ensure that each court has a trained ADA coordinator who is accessible to the public. Central to complying with the ADA is ensuring courts have the structures and training in place to succeed. Initially, SCAO discussed with the Committee the idea of an ADA measure that would determine whether:

- Each court has an SCAO-approved ADA local administrative order (LAO).
- Each court has an ADA coordinator identified and each court location has an ADA contact identified.
- Every chief judge and ADA coordinator has completed ADA training.

The Committee agreed that courts must comply with the ADA, but expressed concern that an ADA measure should not measure facility compliance since that is outside the control of the court. After vigorous discussion the Committee decided that the performance measure should include the requirements for each court to have an ADA coordinator, with each location having a contact, and that every chief judge and ADA coordinator will be required to complete ADA training.

The Committee acknowledged that it is a good practice for every court to have an ADA LAO, but believed such a requirement should not be part of performance measurement. However, before the Committee moves forward with this measure it wants feedback from the courts. We are looking for any suggested changes you have to the measure. Details of the proposed measure are attached. Please submit comments or suggestions on the measure to any member of the Committee by August 27, 2015.

Americans with Disabilities Act Performance Measure

In an effort to strengthen trial court compliance with the Americans with Disabilities Act and comply with people's basic civil rights we propose adopting a performance measure that asks whether:

- Each court has **identified an ADA coordinator** for the court. The ADA coordinator is responsible for coordinating the court's efforts to comply with the ADA by:
 - Providing his or her name, office address, and telephone number to interested persons.
 - Posting his or her contact information in a visible place at each court location, including on the court's website.
 - Ensuring that court employees know how to handle requests for accommodation.
 - Working with the SCAO if a complaint is filed alleging that the court has not complied with the ADA.
- Every court with more than one location has **identified an ADA contact at each location**. If the coordinator is physically located at a location, they may be the ADA contact at that location. The ADA contact is responsible for processing requests for accommodation as directed by the chief judge.
- Every chief judge and ADA coordinator has completed recent (over the next six months) **ADA training**. SCAO will offer ADA training to all judges at the Judicial Conference in October. In addition, each regional office will hold a regional meeting for court administrators/staff that will include ADA training. The Michigan Judicial Institute will also provide every chief judge in the state with a DVD about the ADA. Chief judges will certify compliance with this training requirement.

When a court has named an ADA coordinator and ADA contacts for each court location, and certified that the chief judge and ADA coordinator have completed ADA training in the next six months, then the court is initially compliant with the measure. If the court does not meet any of the listed conditions, it will be considered noncompliant with the ADA measure.

Please submit comments or questions to any member of the Trial Court Performance Measures Committee¹ by August 27, 2015.

¹ A list of the members of the Trial Court Performance Measures Committee is available by clicking on this [link](#).