

**IN THE CIRCUIT COURT OF THE
SIXTEENTH JUDICIAL CIRCUIT IN
AND FOR MONROE COUNTY,
FLORIDA**

ADMINISTRATIVE ORDER 2.067

IN RE:

**AMERICANS WITH DISABILITIES
ACT OF 1990**

WHEREAS, the American with Disabilities Act of 1990 (ADA) requires that reasonable accommodations be provided to qualified persons with disabilities in order that they might fully participate in court proceedings, programs and services when requested; and

WHEREAS, it is the intent of the Sixteenth Judicial Circuit to facilitate the provisions of reasonable accommodations when requested by qualified persons with disabilities; and

WHEREAS, Florida Supreme Court Order SC09-1487, *In re: Amendments to Florida Rule of Judicial Administration 2.540*, was entered on May 10, 2010, which significantly broadens the responsibilities the court; and

WHEREAS, the Chief Judge is responsible for the administration of the courts within the Sixteenth Judicial Circuit, as provided in Rule 2.215, Florida Rules of Judicial Administration;

IT IS THEREFORE ORDERED:

1. Qualified individuals with a disability will be provided, at the court's expense, with accommodations, reasonable modifications to rules, policies or practices, or the provision of auxiliary aids and services, in order to participate in court proceedings, programs or activities within the 16th Judicial Circuit.
2. A provision shall be provided for those persons who need special accommodations to participate in court proceedings, and such provision shall instruct those persons to contact the ADA Coordinator at least seven (7) working days before the scheduled court appearance, or immediately upon receipt of the notice to ensure that reasonable

accommodations shall be made. This provision shall be included on all notices of court proceedings to be held in a public facility, and on all process compelling appearances at such proceedings, including, but not limited to:

- a. Subpoenas for trial;
 - b. Jury Summonses;
 - c. Notices of hearings;
 - d. Notices for depositions held in court facilities;
 - e. All other court related proceedings
3. The provision on the notices of court proceedings shall include the following substantive language, and shall be printed in boldface, 14-point Times New Roman or Courier font as seen in the following examples:

- a. Times New Roman:

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact Cheryl Alfonso, ADA Coordinator, 302 Fleming Street, Key West, FL 33040, (305) 292-3423, at least seven (7) working days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than seven (7) days. If you are hearing or voice impaired, please call 711.

- b. Courier:

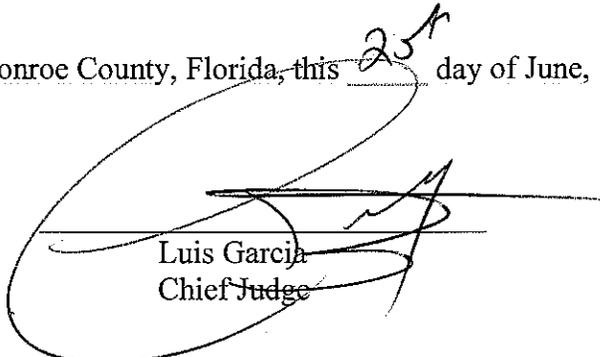
If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact Cheryl Alfonso, ADA Coordinator, 302 Fleming Street, Key West, FL 33040, (305) 292-3423, at least seven (7) working days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than seven (7) days. If you are hearing or voice impaired, please call 711.

4. Attorneys, litigants and parties shall include the above stated language of the notice to persons with disabilities on all notices of court proceedings to be held in a public facility and all process compelling appearances at such proceedings.
5. Judges, Clerks of Court and other court personnel shall include the above stated language of the notice to persons with disabilities on all court proceedings to be held in a public facility, and all process compelling appearances at such proceedings which are prepared or printed.
6. Requests for accommodations under Rule 2.540, Florida Rules of Judicial Procedure, may be made in the following formats within seven (7) working days before the scheduled court appearance, or immediately upon receiving the notification, if the time before the scheduled appearance is less than seven (7) days:
 - a. Florida State Courts System ADA Title II Accommodation Request Form attached hereto as Exhibit "A"; or
 - b. another written format; or
 - c. orally.
7. When responding to a request, the court must consider, but is not limited to, the provisions of the American with Disabilities Act of 1990 in determining whether to provide an accommodation or an appropriate alternative accommodation.
8. The court must inform the individual requesting an accommodation of the following:
 - a. That the request is granted or denied, in whole or in part, and the reasons therefore, or that an alternative accommodation is granted;
 - b. The nature of the accommodation to be provided, if any; and
 - c. The duration of the accommodation to be provided.
9. The court has established a grievance procedure that allows for the resolution of complaints. The procedure can be found on the court's website at www.keyscourts.net and at all three county courthouse locations. These procedures may be used by anyone

who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, or programs by the 16th Judicial Circuit.

This Order shall take effect immediately upon the date of execution.

DONE AND ORDERED at Plantation Key, Monroe County, Florida, this 25th day of June, 2010.



Luis Garcia
Chief Judge