

ST. LOUIS COUNTY CIRCUIT COURT
21ST JUDICIAL CIRCUIT
STATE OF MISSOURI

ADA GRIEVANCE PROCEDURE

It is the intent of the Missouri court system to assure equity, fairness and full participation in the judicial system for persons with disabilities. The following grievance procedures have been established for the prompt and equitable resolution of complaints alleging any action prohibited by Title II of the Americans with Disabilities Act (28 C.F.R. §35.107).

The purpose of this procedure is to establish a mechanism for resolving complaints without requiring the complainant to resort to federal complaint procedures. However, complainants are not required to exhaust this grievance procedure before they can file a complaint at the federal level.

Procedure for Filing a Grievance with the Circuit Court

A. The complaint shall contain the following minimum information:

- Name, address, and telephone number of the complainant on whose behalf the complaint is being made;
- The court facility in which the violation is alleged to have occurred;
- A complete statement of the grievance and the facts upon which it is based;
- The desired remedy or solution requested; and
- The name of any witnesses who can provide supportive or relative information.

B. Filing

- Complaints may be filed with the ADA Coordinator at the court facility in which the violation is alleged to have occurred as soon as possible but no later than sixty (60) calendar days. The ADA Coordinator will forward the complaints to the presiding judge within seven (7) calendar days from the date the complaint is filed.
- The filing deadline may be extended only upon a showing of good cause and good cause shall be determined by the presiding judge.
- The individual filing the complaint may not contact the members of the committee regarding their complaint unless the committee requests their input or additional information.

C. Assessment

- The presiding judge will notify the chair of the committee and the court administrator of the complaint.
- A committee consisting of at least three people, one of which must be the chair of the committee appointed by the presiding judge, shall address the complaint. Individual(s) who are charged in the complaint with alleged discriminatory conduct shall not be a member of the committee.
- The committee may involve or consult with representatives from county government entities in an effort to find resolution of the complaint when the complaint involves a court facility, program, service, benefit or activity that is under the authority or provided by county government.
- The committee will review the complaint and determine if there is any investigation necessary. The chair of the committee may request additional information from the individual filing the complaint if the committee determines additional information is needed. The chair may also request statements from any listed witnesses if the committee deem is necessary.
- The committee shall determine the legal sufficiency of the complaint and provide the presiding judge with their recommendation within 30 calendar days from the chair of the committee's receipt of the complaint.

D. Action

- If a complaint is legally deficient, the complaint shall immediately be brought to closure.
- If a complaint is legally sufficient, the committee will establish a course of action to resolve the complaint.
- To the extent necessary, the court will make reasonable modifications to its programs, services, benefits and activities to ensure future compliance with the ADA.
- When appropriate, and to the extent necessary, the court will work with county government to make reasonable modifications to court facilities, programs, services, benefits and activities that are under the authority or provided by county government to ensure future compliance with the ADA.
- The court may invoke the course of action described in the regulations implementing the ADA (28 C.F.R. §35.164) when modifications would result in a fundamental alteration in the nature of a service, program or activity or in undue financial and administrative burdens.
- The committee may call upon the Office of State Courts Administrator Access to Justice Program to act as technical assistance.

E. Closure, Notification and Records Retention

- The presiding judge shall communicate the results of the investigation and the chosen course of action to the complainant not later than 30 calendar days from the date the committee provides their recommendation to the presiding judge.
- If the grievant files a complaint with the Missouri Human Rights Commission and/or the EEOC prior to the conclusion of the investigation and the response of the presiding judge the investigation and response of the presiding judge shall be stayed until such time as the Missouri Human Rights Commission and/or the EEOC has concluded their investigation.
- A record of the grievance shall be maintained for three years; the record shall be located with the presiding judge.
- If the complainant is not satisfied with the results of the Missouri courts investigation, the complainant may wish to file complaints with the Missouri Commission on Human Rights and/or the United States Department of Justice if he/she has not previously done so.

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ADA GRIEVANCE FORM

If you believe that you were denied accommodation to a court facility, program or service due to a disability, please complete this form and submit to the ADA Coordinator at the court facility in which the violation is alleged to have occurred. The ADA Coordinator should also be contacted should you either require assistance in completing the form, or require the form to be made available in an alternate format.

1. Name of Complainant _____
Street or P.O. Box _____
City _____ State _____ Zip _____
Telephone Number (include area code) _____
Email Address _____
2. Name of person filing Complaint (if other than the Complainant) _____

Street or P.O. Box _____
City _____ State _____ Zip _____
Telephone Number (include area code) _____
Email Address _____
Relationship to Complainant _____
3. Facility in which violation is alleged to have occurred _____

4. Date on which violation is alleged to have occurred _____

5. A complete statement of the grievance and the facts upon which it is based _____

6. The desired remedy or solution requested _____

7. The name and contact information of any witnesses who can provide supportive or relative information _____

8. Additional information _____

9. Have you tried to resolve this matter directly with an employee of the facility in which the alleged violation occurred, and if so, what is their name and what was the outcome.

Date: _____

Signature: _____

Name (Print): _____

Submit form to:

ADA Coordinator
Circuit Court of St. Louis County
105 South Central Avenue
Clayton, MO 63105

ADA Coordinator
Family Court Center
501 South Brentwood
Clayton, MO 63105