



27th Circuit Court
78th District Court
Newaygo County Probate Court
Oceana County Probate Court

27th Circuit Court Local Administrative Order: 2015-04J

78th District Court Local Administrative Order: 2015-03J

Newaygo County Probate Court Local Administrative Order: 2015-03J

Oceana County Probate Court Local Administrative Order: 2015-03J

REQUESTS FOR ACCOMMODATIONS BY PERSONS WITH DISABILITIES

IT IS ORDERED:

This administrative order is issued in accordance with the Americans with Disabilities Act of 1990 (ADA) and the ADA Amendments Act of 2008, as well as Michigan statutory law. The purpose of this order is to ensure that qualified individuals with disabilities have equal and full access to the judicial system. Nothing in this order shall be construed to impose limitations or to invalidate the remedies, rights and procedures accorded to any qualified individuals with disabilities under state or federal law.

1. Definitions

The following definitions shall apply under this order:

- a. "An individual with a disability" means a person covered by the Americans with Disabilities Act of 1990 (42 USC 12101 *et seq.*) and the ADA Amendments Act of 2008. This includes individuals who have physical or mental impairments that substantially limit one or more major life activities, have a record of such impairment/s or are regarded as having such impairment/s.
- b. "Qualified Individual with a Disability" means a person who meets the essential eligibility requirements for participation in any program, service or proceeding in a court in Michigan. This not only includes persons involved in a case, such as lawyers, parties, witnesses or jurors, but also includes spectators or anyone else who is eligible to participate in a program, service or proceeding in a court in Michigan.
- c. "Accommodations" may include, but are not limited to, making reasonable modifications in policies, practices and procedures. Accommodations also means furnishing, at no charge to the qualified individuals with disabilities, auxiliary aids and services, which may include equipment, devices, materials in alternative formats and qualified interpreters or readers. Additionally, each service, program or activity, when viewed in its entirety, must be readily accessible to and usable by qualified individuals with disabilities requesting

accommodations. In order to ensure that court services are accessible, access may be provided by various methods including alteration of existing facilities, acquisition or construction of additional facilities, relocation of service or program to an accessible facility or provision of services at alternate sites. The court will consider the preferences of the individual requesting the accommodations when responding to the request. The court will not place a surcharge on a particular individual or group of individuals to cover the cost of the accommodations.

- d. "Confidential" means there will be no public disclosure by the court of the identity or disability of the applicant in any oral or written communications. This includes any files and documents submitted by an applicant as part of the request process.

2. **Request Procedure**

- a. A request for accommodations under this policy may be presented in writing on a *Request for Reasonable Accommodations and Response* (SCAO-approved form MC 70), which will be provided by the courts free of charge. The MC 70 may also be presented to a court user orally as the courts may allow. A written request, or oral presentation and request, must be made to the ADA (Americans with Disabilities Act) Coordinator at each coordinator's respective court. As this Local Administrative Order covers all courts for Newaygo and Oceana Counties, each ADA Coordinator and corresponding court is listed in Appendix A. If the requester discusses that he/she also has events in another court within Newaygo or Oceana County then the ADA Coordinator will ask if his/her request can be discussed with that other court and that court will be listed on the MC 70 as well. This collaboration between Newaygo and Oceana County courts may assist in coordinating and/or expediting services for the requester.
- b. Requests for accommodations shall include a description of the accommodations sought, along with a statement of the functional impairment that necessitates the accommodation. The courts, in their discretion, may require the applicant to provide additional information about the qualifying impairment.
- c. Requests should be made as far as possible in advance of the date of the court appearance or other court activity.
- d. The courts will maintain the request in a separate confidential administrative file so as not to reveal the applicant's identity or the information contained in the request.
- e. If the applicant is a party to a case, the request to the courts will deal only with the accommodations necessary to provide access and will not deal in any manner with the subject matter or merits of the proceedings before the courts.
- f. In determining whether to grant an accommodation and what that accommodation will be, the courts will consider, but are not limited by, the applicable provisions of the Americans with Disabilities Act of 1990; the ADA Amendments Act of 2008; Section 504 of the Rehabilitation Act of 1973; the Michigan Deaf Persons Interpreters Act, 1982 PA 204; The Persons with Disabilities Civil Rights Act, 1976 PA 220; and the Elliott-Larsen Civil Rights Act, 1976 PA 453.

- g. Before the ADA Coordinators deny, in whole or in part, a request for an accommodation, the ADA Coordinators will consult with the applicant to determine whether an alternative accommodation would be acceptable. If the applicant denies any proposed alternative, the ADA Coordinators will advise the State Court Administrative Office (SCAO) Regional Administrator of the court's intent to deny the request. If the ADA Coordinators, after consulting with the SCAO Regional Administrator, decide to deny the request, the ADA Coordinators will inform the applicant in writing of the reasons for denial and the basis upon which a request for accommodations is denied.
- h. A request may be denied only if:
 - i. The applicant is not a qualified individual with a disability as defined in subsection 1 of this order; or
 - ii. The requested accommodations would result in a fundamental alteration in the nature of the program, service or activity; or
 - iii. The requested accommodations would create an undue financial or administrative burden on the courts.

3. **Duration and costs of accommodations**

The accommodations will start on the date indicated in the response to the request for accommodations and will remain in effect for the period specified. Accommodations will be provided at no cost to the applicant.

4. **Review Procedure**

- a. If the request is denied, in whole or in part, by any of the ADA Coordinators the applicant may request a further review on a *Review of Request for Reasonable Accommodations and Response* (SCAO-approved form MC 70a). The request must be submitted to the ADA Coordinators within each respective court for review by the chief judge. The chief judge will review the request and make a determination on the request for review before the proceeding or court service, activity or program is scheduled to begin.
- b. If the chief judge denies the review request, then the applicant may submit a request to the State Court Administrator for a final determination. Requests for a review by the State Court Administrator may be forwarded to the State Court Administrator, State Court Administrative Office, Michigan Hall of Justice, PO BOX 30048, Lansing, MI 48909.

5. **Grievance Procedure**

If a person alleges that any of the court's ADA procedures or practices, outside of the specific requests for accommodation, result in discrimination on the basis of disability as to the provision of services, activities or programs of the courts, the person may file a grievance. The court's grievance procedure is appended to this order on the following page.

Effective Date: 1-1-16

12-14-15

Date of Signature



Anthony A. Monton, Chief Judge

Newaygo and Oceana County Trial Courts
Grievance Procedure under the Americans with Disabilities Act and the ADA
Amendments Act of 2008

This grievance procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 (ADA) and the ADA Amendments Act of 2008. It may be used by any person who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities or programs by the Newaygo and Oceana County Trial Courts. Each court's, or county's, personnel policies govern employment-related complaints of disability discrimination.

The complaint should be in writing and contain information about the alleged discrimination such as the name, address and phone number of the complainant and the location, date and description of the problem including the name of the judicial officer. Alternative means of filing complaints will be made available for persons upon request if necessary.

The complaint should be submitted by the grievant or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to the corresponding ADA Coordinator for the appropriate court as listed in Appendix A.

Within 15 calendar days after receiving the complaint, the ADA Coordinator or designee will consult with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days after the consultation, the ADA Coordinator or designee will respond in writing in a format accessible to the complainant. The ADA Coordinator should inquire as to what format is accessible to the complainant. The response will explain the position of the court and offer options for a substantive resolution of the complaint.

If the response by the ADA Coordinator or designee does not satisfactorily resolve the issue, the complainant or complainant's designee may request a review of the decision within 15 calendar days after receiving the response.

Within 15 calendar days after receipt of the request for review, the chief judge or designee will consult with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the consultation, the chief judge or designee will respond in writing in a format accessible to the complainant with a final resolution of the complaint.

All written complaints received by the ADA Coordinator, requests for review to the chief judge or designee and responses from these two offices will be retained by the court for at least three years from the date of the last written response or other final communication.

Appendix A

**ADA Coordinators and Contacts
Newaygo and Oceana Trial Courts**

Newaygo County ADA Coordinators/ADA Contacts

27th Circuit Court	Ms. Wendy Jarvis	(231) 689-7251
78th District Court	Ms. Diane Reinke	(231) 689-7228
Newaygo County Probate Court	Ms. Amy Beardsley	(231) 689-7274

Oceana County ADA Coordinators/ADA Contacts

27th Circuit Court	Ms. Faye Ohrling	(231) 873-3977
78th District Court	Ms. Jo A. Gowell	(231) 873-4530
Oceana County Probate Court	Ms. Kristy Gifford	(231) 873-3666

ADA Performance Measure Compliance Form

Use this form to communicate to SCAO your court's compliance with the ADA performance measure. Return this form to your regional administrator.

Court Name: 78th District Court - Oceana County

ADA Coordinator for the Court

The chief judge must name an ADA coordinator for the court.

Name of ADA Coordinator Ms. Jo A. Gowell

Address PO Box 471, County Building

City, State, Zip Hart, MI 49420

Phone Number (231) 873-4530

E-mail jgowell@oceanadistrictcourt.org

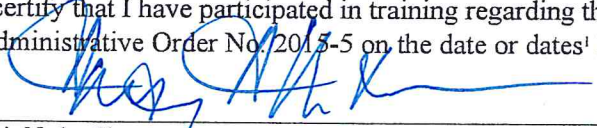
Name of ADA Coordinator being replaced (if applicable) N/A

For a list of current ADA coordinators, visit the online Trial Court Directory, select your county, and scroll to the ADA coordinator tab.

Training Certification

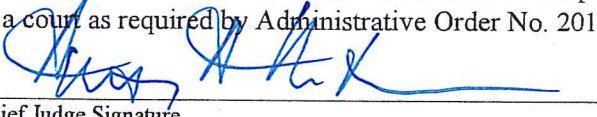
The chief judge and ADA coordinator must complete ADA training.

I certify that I have participated in training regarding the duties and obligations of a court as required by Administrative Order No. 2015-5 on the date or dates¹ listed below.


Chief Judge Signature

10-27-15
Training Date(s)

I certify that the ADA Coordinator named above has participated in training regarding the duties and obligations of a court as required by Administrative Order No. 2015-5 on the date or dates¹ listed below.


Chief Judge Signature

12-14-15
Training Date(s)

¹If you need assistance recalling ADA training dates, please contact the Michigan Judicial Institute at 517-373-7171.

ADA Contact Person for Each Court Location

The chief judge must name an ADA contact person for each court location, including any FOC or probation offices that operate in separate facilities.

Court Location _____

Name of ADA Contact Person _____

Address _____

City, State, Zip _____

Phone Number _____

E-mail _____

ADA Performance Measure Compliance Form

Court Location _____
Name of ADA Contact Person _____
Address _____
City, State, Zip _____
Phone Number _____
E-mail _____

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Print Form

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Court Name: Oceana County Probate Court

ADA Coordinator for the Court

The chief judge must name an ADA coordinator for the court.

Name of ADA Coordinator Ms. Kristy Gifford

Address 100 S. State St.

City, State, Zip Hart, MI 49420

Phone Number (231) 873-3666

E-mail Oceanaprobate15@gmail.com

Name of ADA Coordinator being replaced (if applicable) N/A

For a list of current ADA coordinators, visit the online Trial Court Directory, select your county, and scroll to the ADA coordinator tab.

Training Certification

The chief judge and ADA coordinator must complete ADA training.

I certify that I have participated in training regarding the duties and obligations of a court as required by Administrative Order No. 2015-5 on the date or dates¹ listed below.

[Signature]
Chief Judge Signature

10-27-15
Training Date(s)

I certify that the ADA Coordinator named above has participated in training regarding the duties and obligations of a court as required by Administrative Order No. 2015-5 on the date or dates¹ listed below.

[Signature]
Chief Judge Signature

9-2-15
Training Date(s)

¹If you need assistance recalling ADA training dates, please contact the Michigan Judicial Institute at 517-373-7171.

ADA Contact Person for Each Court Location

The chief judge must name an ADA contact person for each court location, including any FOC or probation offices that operate in separate facilities.

Court Location _____

Name of ADA Contact Person _____

Address _____

City, State, Zip _____

Phone Number _____

E-mail _____

ADA Performance Measure Compliance Form

Court Location _____
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Court Name: 78th District Court - Newaygo County

ADA Coordinator for the Court

The chief judge must name an ADA coordinator for the court.

Name of ADA Coordinator Ms. Diane Reinke

Address 1092 Newell St., PO Box 129

City, State, Zip White Cloud, MI 49349

Phone Number (231) 689-7228

E-mail dmr@co.newaygo.mi.us

Name of ADA Coordinator being replaced (if applicable) N/A

For a list of current ADA coordinators, visit the online Trial Court Directory, select your county, and scroll to the ADA coordinator tab.

Training Certification

The chief judge and ADA coordinator must complete ADA training.

I certify that I have participated in training regarding the duties and obligations of a court as required by Administrative Order No. 2015-5 on the date or dates¹ listed below.

[Signature]
Chief Judge Signature

10-27-15
Training Date(s)

I certify that the ADA Coordinator named above has participated in training regarding the duties and obligations of a court as required by Administrative Order No. 2015-5 on the date or dates¹ listed below.

[Signature]
Chief Judge Signature

12-7-15
Training Date(s)

¹If you need assistance recalling ADA training dates, please contact the Michigan Judicial Institute at 517-373-7171.

ADA Contact Person for Each Court Location

The chief judge must name an ADA contact person for each court location, including any FUC or probation offices that operate in separate facilities.

Court Location 78th District Court - Newaygo County

Name of ADA Contact Person Jonathan Morse - Magistrate

Address 1092 Newell St., PO Box 129

City, State, Zip White Cloud, MI 49349

Phone Number (231) 689-7256

E-mail jim@co.newaygo.mi.us

ADA Performance Measure Compliance Form

Court Location _____
Name of ADA Contact Person _____
Address _____
City, State, Zip _____
Phone Number _____
E-mail _____

~~Court Location~~ _____
Name of ADA Contact Person _____
Address _____
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Court Name: 27th Circuit Court - Newaygo County

ADA Coordinator for the Court

The chief judge must name an ADA coordinator for the court.

Name of ADA Coordinator Ms. Wendy Jarvis

Address 1092 Newell St., PO Box 885

City, State, Zip White Cloud, MI 49349

Phone Number (231) 689-7251

E-mail wjarvis@co.newaygo.mi.us

Name of ADA Coordinator being replaced (if applicable) N/A

For a list of current ADA coordinators, visit the online Trial Court Directory, select your county, and scroll to the ADA coordinator tab.

Training Certification

The chief judge and ADA coordinator must complete ADA training.

I certify that I have participated in training regarding the duties and obligations of a court as required by Administrative Order No. 2015-5 on the date or dates¹ listed below.

[Signature] 10-27-15
Chief Judge Signature Training Date(s)

I certify that the ADA Coordinator named above has participated in training regarding the duties and obligations of a court as required by Administrative Order No. 2015-5 on the date or dates¹ listed below.

[Signature] 9/30/2015
Chief Judge Signature Training Date(s)

¹If you need assistance recalling ADA training dates, please contact the Michigan Judicial Institute at 517-373-7171.

ADA Contact Person for Each Court Location

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Court Location _____

Name of ADA Contact Person _____

Address _____

City, State, Zip _____

Phone Number _____

E-mail _____

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Court Name: Newaygo County Probate Court

ADA Coordinator for the Court

The chief judge must name an ADA coordinator for the court.

Name of ADA Coordinator Ms. Amy Beardsley

Address 1092 Newell St, PO Box 883

City, State, Zip White Cloud, MI 49349

Phone Number (231) 689-7274

E-mail AmyD@co.newaygo.mi.us

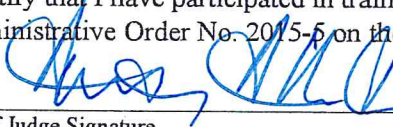
Name of ADA Coordinator being replaced (if applicable) N/A

For a list of current ADA coordinators, visit the online Trial Court Directory, select your county, and scroll to the ADA coordinator tab.

Training Certification

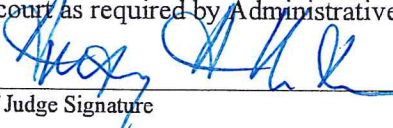
The chief judge and ADA coordinator must complete ADA training.

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Chief Judge Signature

10-27-15
Training Date(s)

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Chief Judge Signature

9-2-2015
Training Date(s)

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Court Name: 27th Circuit Court - Oceana County

ADA Coordinator for the Court

The chief judge must name an ADA coordinator for the court.

Name of ADA Coordinator Ms. Faye Ohrling

Address 100 S. State St, Suite M-10

City, State, Zip Hart, MI 49420

Phone Number (231) 873-3977

E-mail f.ohrling@oceana.mi.us

Name of ADA Coordinator being replaced (if applicable) N/A

For a list of current ADA coordinators, visit the online Trial Court Directory, select your county, and scroll to the ADA coordinator tab.

Training Certification

The chief judge and ADA coordinator must complete ADA training.

I certify that I have participated in training regarding the duties and obligations of a court as required by Administrative Order No. 2015-5 on the date or dates¹ listed below.

[Signature]
Chief Judge Signature

10-27-15
Training Date(s)

I certify that the ADA Coordinator named above has participated in training regarding the duties and obligations of a court as required by Administrative Order No. 2015-5 on the date or dates¹ listed below.

[Signature]
Chief Judge Signature

9-30-15
Training Date(s)

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