

AMERICANS WITH DISABILITIES ACT POLICY AND PROCEDURE FOR GRIEVANCES

It is the policy of the North Carolina Administrative Office of the Courts (NCAOC) to make every reasonable effort to ensure that individuals with disabilities have equal access to the courts.

The NCAOC has a procedure to resolve complaints alleging action by the Judicial Branch that would be prohibited by federal regulations contained in Title II of the Americans with Disabilities Act (ADA). Title II of the ADA provides that “no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity.” 42 U.S.C. § 12132.

Step 1. Request for Accommodation

An individual with a disability who needs an accommodation should make the request for an accommodation by contacting the appropriate court official or responsible employee. In any matter relating to trial court proceedings, the Office of the Clerk of Superior Court in the relevant county can help an individual with a disability identify the appropriate court official or responsible employee. In addition, the NCAOC’s Disability Access Coordinator may be contacted for assistance in any matter, including help in identifying the responsible employee to contact for any court office or program.

Step 2. Assistance and Review by the NCAOC’s Disability Access Coordinator

Prior to filing a grievance requesting final administrative review under Step 3, an individual must have requested assistance from or presented his or her complaint, orally or in writing, to the:

Court Programs and Services Division
Attn: NCAOC’s Disability Access Coordinator
Administrative Office of the Courts
P.O. Box 2448
Raleigh, NC 27602
T 919-890-1400

The NCAOC’s Disability Access Coordinator will, as appropriate, conduct an independent investigation and attempt to provide the assistance requested or resolve the complaint. If the complaint is not resolved, then an individual can file a grievance under Step 3.



Step 3. Filing Grievance for Final Administrative Review

Individuals may obtain final administrative review of a grievance against the Judicial Branch under the ADA by mailing or delivering a written complaint to:

Court Programs and Services Division
Attn: Deputy Director
Administrative Office of the Courts
Mailing: P.O. Box 2448, Raleigh, NC 27602
Physical: 901 Corporate Center Drive, Raleigh, NC 27607

If necessary due to the nature of an individual's disability, the complaint may be presented by reasonable means other than writing. To make arrangements for this purpose, contact the Court Programs and Services Division at 919-890-1400.

The complaint shall contain the name, address, and phone number of the individual filing it and the nature of the complaint, previous denials of requested accommodation, and alleged violations (if any) of the regulations.

Requests for final review must be made within thirty (30) days after receiving notification under Step 2 that the matter has been concluded. Upon timely receipt of a request for review, the Deputy Director has an additional thirty (30) days to respond and this constitutes the final agency decision of the NCAOC.

