



NEWS ADVISORY

**New York State
Unified Court System**

**Hon. Lawrence K. Marks
Chief Administrative Judge**

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Revised Guidelines Aim to Facilitate Swifter Provision of Appropriate Accommodations for Court Users with Special Needs

NEW YORK—As part of the court system’s ongoing efforts to enhance access to justice for New Yorkers with visual, hearing, communication, mobility, cognitive and other disabilities, Chief Administrative Judge Lawrence K. Marks has approved the implementation of new guidelines to simplify the handling of requests for accommodations of disabilities made by parties, attorneys, witnesses and other court visitors in the New York State trial courts.

The revised guidelines were developed at the recommendation of the Advisory Committee on Access for People with Disabilities, formed in 2017 to examine and advise the Chief Judge and Chief Administrative Judge on a broad scope of issues to ensure best practices in providing access for individuals with disabilities.

The guidelines, which will serve to expedite the provision of appropriate accommodations for those with special needs, are summarized as follows:

- Accommodation requests may be made orally or in writing.
- All accommodation requests made in advance of a court appearance in New York City should be directed to the Chief Clerk of the Court.
- All accommodation requests made in advance of a court appearance outside New York City should be directed to the District Executive.

- The Chief Clerk/District Executive will assess whether the request involves a judicial accommodation, such as an adjournment, additional time to submit papers, phone appearance, trial breaks etc.; or an administrative accommodation, such as the provision of assistive listening devices, use of a Sign language interpreter etc.
- If the request solely concerns a judicial accommodation (which can only be granted or denied by the judge presiding over the proceeding), it will be immediately forwarded to the judge's chambers for a determination and the requestor so notified.
- If the request is solely administrative in nature, it will be handled by the Chief Clerk/District Executive or a designee.
- Sometimes non-judicial personnel are the first to receive the request, while other times the request is not made until the person appears in court. Requests involving accommodations of an administrative nature will be referred to the Chief Clerk/District Executive; requests made directly to a judge for purely judicial accommodations will be determined by the presiding judge without referring it to the Chief Clerk/District Executive.
- Any aspect of a request made directly to a judge in New York City that involves an administrative accommodation will be referred to the Chief Clerk of the Court; outside New York City, such administrative accommodation requests will be forwarded by the judge to the District Executive.
- Chief Clerks and District Executives must consult with the courts' Statewide ADA Coordinator before denying an accommodation request. If a request is denied, the Chief Clerk/District Executive must issue a written Denial of Accommodation Form and give it to the requestor, with a copy to the State ADA Coordinator. An administrative denial is subject to review, within 10 days, by the State ADA Coordinator.

Further information regarding these guidelines, along with information about the court system's commitment to assuring access to all, is available at:

<http://ww2.nycourts.gov/accessibility/index.shtml>.

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