



## North Carolina Courts Accessibility

Under the Americans with Disabilities Act (ADA), North Carolina courts must make sure that people with disabilities can fully participate in court functions. One way that courts guarantee equal access and participation is by providing **reasonable accommodations** to people with disabilities. This guide explains your rights, as a person with a disability, to reasonable accommodations in North Carolina courts.

### **Reasonable Accommodations**

A reasonable accommodation is a change to a policy, practice, or procedure that is necessary to provide equal access to the courthouse or court processes for a person with a disability.

Here are some examples of common accommodations for different types of disabilities.

Accommodations for people with visual impairments:

- Written materials read aloud
- Lighting or seating adjusted
- Trained guide or seeing eye dog allowed in the courtroom

Accommodations for people with hearing loss:

- Interpreters during court proceedings, including jury duty
- CART (Communication Access Realtime Translation) or real-time court reporters
- FM transmitter system

Accommodations for people with physical disabilities:

- Proceedings held in accessible rooms
- Accessible restrooms available
- Trained service animal allowed in the courtroom

### **Eligibility for Accommodations in Court**

Any person with a disability who is participating in North Carolina court programs, services, and activities can receive reasonable accommodations. This includes people who are:

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- Parties or witnesses to a trial or hearing;
- People serving on jury duty (including those with hearing loss); and
- People participating in court activities, such as filing documents with the clerk.

To determine whether you need to request an accommodation, you may want to find out the following information before you go to court:

- The physical arrangement of the room you will be in;
- The lighting and acoustics of the room;
- The availability of accessible bathrooms, elevators, etc.; and
- The distance or angle of your seat from the judge, attorneys, or jury.

### **Requesting Accommodations**

Submit your request for accommodations from the court as early as possible. All requests for accommodations should be made prior to your court date or business with the court.

Each courthouse has designated a Disability Access Coordinator (DAC) to help the public with accommodations. Their contact information can be found on the NC Courts website at [www.nccourts.org/Citizens/Disability.asp](http://www.nccourts.org/Citizens/Disability.asp). Alternatively, you may call the Office of the Clerk of Superior Court in the county where the court is and ask for the clerk who assists with accommodation requests. Contact information for each Clerk of Court can be found online at [www.nccourts.org/Support/ContactUs.asp](http://www.nccourts.org/Support/ContactUs.asp).

You will be asked for information about:

- Yourself (your name, nature of your disability, and your business with the court);
- The case (the case file number, location, and date of the court proceedings);
- The specific accommodation(s) you need in order to fully participate in the case or conduct other business with the court; and
- Your attorney's contact information (if applicable).

Be prepared to explain the nature of your disability, how you think it will affect your full participation in the case or prevent you from conducting your business with the court, and how the requested accommodation will resolve the issue. Please note that the clerk will not be able to answer questions related to your rights under the ADA.

### **Denials of Requests for Accommodations**

The court can deny your request if:

- You are requesting a personal device, such as a hearing aid;
- The requested accommodation would fundamentally alter the court process; or
- The requested accommodation would impose an undue financial burden on the courts.

If your request for accommodation is denied, consider changing it. For example, a person with a traumatic brain injury does not have a good short-term memory so she requests that the court assign someone to sit with her and explain what is happening during the court process. The court says "no" because it is a fundamental alteration and undue burden on the court. A more reasonable alternative may be to ask the judge or court staff to permit a trusted friend, family member, or advocate to assist her during the court proceedings.

### **Questions and Complaints**

If the court does not provide needed accommodations, contact the Administrative Office of the Courts ADA Coordinator at (919) 890-1400. There is also a grievance procedure available to file a complaint against a court for failing to make accommodations, which is explained at [www.nccourts.org/Citizens/SRPlanning/Documents/ADA\\_grieve.pdf](http://www.nccourts.org/Citizens/SRPlanning/Documents/ADA_grieve.pdf).

If you have questions or concerns specific to your request for sign language interpreter services, you may contact the Office of Language Access Services at (919) 890-1407 or access the Language Access Complaint Form at [www.nccourts.org/Surveys/LA/languageaccess.htm](http://www.nccourts.org/Surveys/LA/languageaccess.htm).

If you have concerns regarding the physical accessibility of a courthouse building, contact the appropriate County Manager. A list of County Managers can be found at [www.ncacc.org/countyinfo.htm](http://www.ncacc.org/countyinfo.htm), [www.ncacc.org/countyinfo.htm](http://www.ncacc.org/countyinfo.htm), [www.ncacc.org/countyinfo.htm](http://www.ncacc.org/countyinfo.htm), [www.ncacc.org/countyinfo.htm](http://www.ncacc.org/countyinfo.htm), [www.ncacc.org/countyinfo.htm](http://www.ncacc.org/countyinfo.htm), [www.ncacc.org/countyinfo.htm](http://www.ncacc.org/countyinfo.htm), [www.ncacc.org/countyinfo.htm](http://www.ncacc.org/countyinfo.htm), [www.ncacc.org/countyinfo.htm](http://www.ncacc.org/countyinfo.htm), [www.ncacc.org/countyinfo.htm](http://www.ncacc.org/countyinfo.htm), [www.ncacc.org/countyinfo.htm](http://www.ncacc.org/countyinfo.htm).

For more information on accessibility in courts, visit [www.nccourts.org](http://www.nccourts.org) or [www.ada.gov](http://www.ada.gov).

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Disability Rights North Carolina is a 501(c)(3) nonprofit organization headquartered in Raleigh. It is a federally mandated protection and advocacy system with funding from the U.S. Department of Health and Human Services, the U.S. Department of Education, and the Social Security Administration.

Its team of attorneys, advocates, paralegals and support staff provide advocacy and legal services at no charge for people with disabilities across North Carolina to protect them from discrimination on the basis of their disability. All people with disabilities living in North Carolina are eligible to receive assistance from Disability Rights NC.

Contact us for assistance or to request this information in an alternate format.

**Disability Rights North Carolina**

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