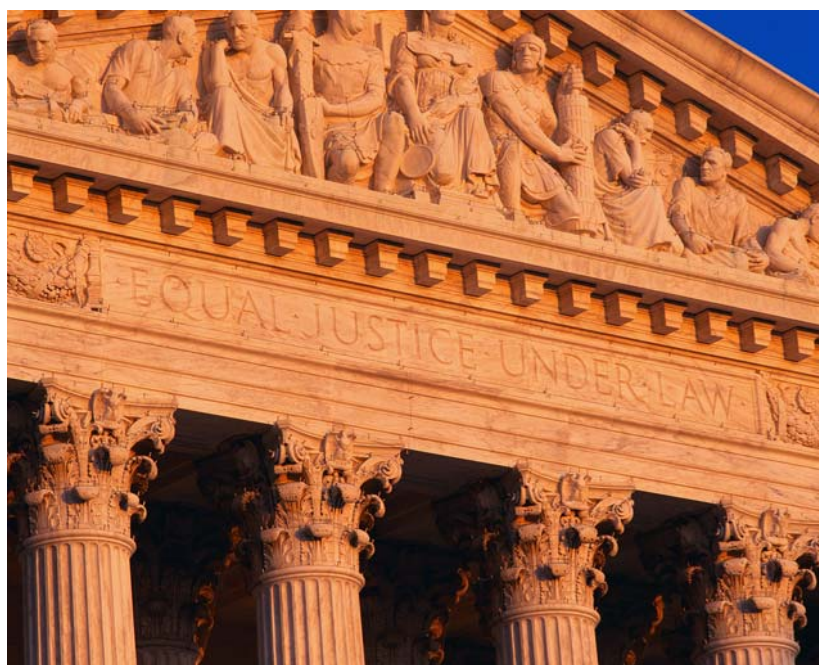


Access to the Florida Courts: IDENTIFYING AND ELIMINATING ARCHITECTURAL BARRIERS



**Final Report by the
Court Accessibility Subcommittee,
Standing Committee on Fairness and Diversity**

April 28, 2008



Nick Sudzina, Chair
Court Accessibility Subcommittee

April 28, 2008

The Honorable Gill S. Freeman
Chair, Standing Committee on Fairness and Diversity
Circuit Judge, Eleventh Judicial Circuit
Dade County Courthouse
73 W. Flagler Street, Room 1407
Miami, Florida 33130

Dear Judge Freeman:

On behalf of the Court Accessibility Subcommittee, I am pleased to provide you with the Subcommittee's final report on the court accessibility survey initiative.

Introduction

The Americans with Disabilities Act of 1990 (ADA) was enacted to ensure that qualified individuals with disabilities are afforded the same opportunities that are available to persons without disabilities. The Florida State Courts System has a long-standing commitment to full compliance with the ADA. The courts recognize their Title I obligations by providing reasonable accommodations for qualified judicial officers and court employees with disabilities. Pursuant to Title II, the court system provides auxiliary aids and services for qualified parties, witnesses, jurors, and others with disabilities who have an interest in attending any state court proceeding or participating in another court service, program, or activity. The ADA does not require the court system to take any action that would fundamentally alter the nature of court programs, services, or activities, or impose an undue financial or administrative burden.

While Florida's courts have made significant progress in affording access for persons with disabilities since the enactment of the ADA, structural barriers remain in many courthouses. In his June 2006 passing of the gavel address, Chief Justice Lewis drew attention to this issue, declaring, "These artificial barriers must not be in place for Florida's citizens" and vowed to make architectural accessibility of court facilities one of his top priorities.

Scope of This Initiative

Chief Justice Lewis directed the Supreme Court's Standing Committee on Fairness and Diversity to build a coalition of the judiciary, clerks of court, counties, persons with disabilities, and others and engage them in a collaborative effort designed to facilitate practical enhancements to court facilities that will increase compliance with the federal ADA Standards for Accessible Design and the Florida Accessibility Code for Building Construction. The focus of the project was structural accessibility in those areas of court facilities that are used by the court-going public.

Court facility accessibility issues in the Florida State Courts System are administratively, legally, and financially complex. The state courts are housed in approximately 140 state- and county-owned facilities throughout Florida. The State of Florida is responsible for facilities that house the six appellate courts (the supreme court and the district courts of appeal). The state constitution and state statutes provide that the individual counties are responsible for the facilities that house the trial courts. Accordingly, the state court system is obligated to make its trial court services accessible but has limited control over the facilities in which its trial courts are located. For that reason, it was crucial that the court accessibility effort be coordinated with county units of government.

The Florida court system conducted self evaluations and developed transition plans shortly after the enactment of the ADA, as required by the Act. As would be expected, however, the courts have become more knowledgeable and sophisticated about the ADA and accessibility matters over the past two decades. Additionally, many architectural changes have occurred in court facilities over the intervening years. In the current initiative, Chief Justice R. Fred Lewis tasked the court system with re-surveying the public areas of all court facilities and developing updated transition plans.

Requirements for Structural Accessibility

A public entity's services, programs, and activities – when viewed in their entirety – must be readily accessible to and usable by individuals with disabilities. One of the most confusing aspects of the ADA is the differing requirements it imposes on buildings erected before the Act went into effect and those built later. The ADA requires that all new buildings constructed by a state or local government be accessible. In addition, when a state or local government undertakes alterations to a building, it must make the altered portions accessible.

Post-ADA Construction

For ADA compliance purposes, any facility where construction commenced after January 26, 1992, is considered "new" or "post-ADA." Post-ADA facilities must comply with the ADA Standards for Accessible Design (28 C.F.R. Part 36) and be "readily accessible to and usable by" persons with disabilities.

Additions and Renovations

Any state or local government facility that was altered after January 26, 1992, must be altered in compliance with the ADA Standards for Accessible Design. If a Florida court facility is renovated, or an addition is built to an existing court facility, the new or renovated part must conform to the ADA Standards for Accessible Design as well as the Florida Accessibility Code for Building Construction where the Florida code is more stringent. In addition, if the entrance, route, restrooms, and water fountain that serve an area containing a primary function (the area housing a major activity for which the facility is intended) of a facility are not already ADA compliant, a proportionate amount¹ of the construction budget must be spent toward achieving that goal.

Pre-ADA Facilities

Facilities built before January 26, 1992, are referred to as “pre-ADA” facilities. A public entity must ensure that individuals with disabilities are not excluded from services, programs, and activities because existing buildings are inaccessible. If pre-ADA structures have accessibility problems, the Act provides state and local government with two options: (1) remove the barriers using the ADA Standards for Accessible Design, or (2) make the program, service, or activity accessible by providing program access.

Program Access

Program access allows the court to move the program to an accessible location or use some way other than making all architectural changes in order to make the program, service, or activity readily accessible to and usable by individuals with disabilities. There are many ways to make a program, service, or activity accessible other than through architectural modifications. However, sometimes making architectural changes is the best solution financially or administratively, or because it furthers the ADA’s goal of integration.

If a court service or program is provided in an older facility that is not yet fully accessible, the court must provide program accessibility. In doing so, priority must be given to the method that results in the most integrated setting. Methods of achieving program accessibility may include aids, equipment, or relocation. For example, if the public information counter is too high for persons who use a wheelchair, a court staff person could step out of the booth to speak with the individual. If a jury box is not accessible to a person who uses a wheelchair, the court may seat the entire first row of jurors in front of the jury box. Another example of program accessibility is that the court could move a proceeding to another facility that is accessible, when necessary.

Governments do not have to take any action that would fundamentally alter the nature of their programs or result in an undue financial or administrative burden, taking into account all resources available for use by the program. Structural changes necessary to ensure program accessibility – but not renovation of an entire pre-ADA court facility – were to be made as expeditiously as possible, but no later than January 26, 1995.

¹The United States Department of Justice has defined the proportionate rate as up to 20% rate of the project budget.

Historic Court Facilities

A few Florida courthouses are historic structures, which present unique challenges to accessibility. A qualified historic building is one that is (1) listed in or eligible for listing in the National Register of Historic Places; or (2) designated as historic under an appropriate state or local law. Even qualified historic facilities should provide at least one accessible entrance, route, and toilet facility (if toilet facilities are provided). Additionally, alterations to a qualified historic building must comply with the accessibility requirements unless it is determined that compliance would threaten or destroy the historic significance of the building. In that situation, the alternative accessibility requirements set forth in the ADA Standards for Accessible Design may be used for the feature that cannot be made compliant.

Role of the Subcommittee

Members of the Subcommittee on Court Accessibility provided input and advice at the statewide level. A list of Subcommittee members is included as Attachment 1.

The Subcommittee was a hands-on, working group. A small group of members worked intensively with staff over a three-day period to develop an exemplary survey instrument. The survey instrument not only encompasses the usual items like parking, entrances, paths of travel, and restrooms, but also addresses elements that are unique to court facilities such as jury assembly areas and deliberation rooms, witness stands, judges' benches, and holding cells. The survey instrument incorporates the requirements of the ADA Standards for Accessible Design, the Florida Accessibility Code for Building Construction, and recommendations from the U.S. Access Board's Courthouse Access Advisory Committee.

Subcommittee members also oversaw training on facility requirements and use of the survey instrument. Tasks related to training included developing a model curriculum, locating training sites, identifying faculty, and preparing materials. Some members even served as faculty and/or provided support at the regional training sessions.

Contributions to the Project

In addition to state general revenue funds provided through the Office of the State Courts Administrator, the Subcommittee was fortunate to benefit from financial assistance provided by the Governor's ADA Working Group and the Advocacy Center for Persons with Disabilities, Inc. Additionally, the Subcommittee members were extremely generous with their valuable professional and subject matter expertise, thereby saving the initiative thousands of dollars for architectural and other professional services.

Chief Justice Lewis provided unwavering leadership and support for the initiative. The project received excellent support from the chief judges, appellate court marshals, court administrators, and court ADA coordinators, as well. County commissioners, county administrators, and county facility staff were also of tremendous assistance to the court accessibility initiative. Other justice

system offices deserving of mention include clerks of court, sheriffs, state attorneys, and public defenders. Many disability organizations also lent their time and assistance at the local level.

The Subcommittee expresses its deep gratitude for every contribution toward the success of the court accessibility initiative.

Survey Instrument

As mentioned above, a small task force comprised of court ADA coordinators, court managers, an architect, and other professionals with ADA expertise – some of whom are persons with disabilities or have family members with disabilities – developed a detailed survey instrument that not only encompasses the ADA Standards for Accessible Design but also includes accessibility elements that are unique to the Florida code. In designing the survey, the Subcommittee also utilized the United States Access Board's report of November 15, 2006, entitled "Justice for All: Designing Accessible Courthouses."

The primary purpose of the survey instrument is to identify architectural barriers in public areas of court facilities. The survey is designed to assess accessibility for individuals with a wide variety of different disabilities, such as persons who are blind or have low vision; people who are deaf or hard of hearing; persons with limited use of hands or arms; individuals who use canes, crutches, braces, or walkers; persons who use wheelchairs; and people who have combinations of disabilities.

The survey instrument consists of a summary sheet as well as 35 forms that are specific to various public use areas and elements of court facilities: parking, doors, restrooms, signage, alarm systems, ramps, elevators, stairs, witness box, jury deliberation rooms, courtroom furnishings, etc. This allowed for a form to be completed for each element of that type, as needed. For example, a separate form was to be completed for each ramp evaluated. The survey instrument is provided as Attachment 2.

The standards applied in the survey instrument generally reflect those that are applicable to renovations and new facilities. The use of those standards resulted in the identification of barriers to access throughout court facilities. Because these standards are higher than what is required for existing (pre-ADA) court facilities, not every negative response indicated non-compliance with the law. Nevertheless, in order to envision ideal court facilities that are fully accessible for use by members of the public who have disabilities, the Subcommittee felt it was important to use the higher standards during the survey. And, because a difference of inches or, in some cases, a difference of a fraction of an inch can pose a serious safety hazard or result in the denial of access for persons with disabilities, full compliance with the state and federal standards is essential.

Court Accessibility Teams

Each trial and appellate court established a Court Accessibility Team to oversee the project within that jurisdiction. More than 500 people agreed to serve on the teams. While the composition of the teams varied from jurisdiction to jurisdiction based on local needs and resources, the members were of the highest caliber. Positions represented on the various teams include judges, clerks of court, county commissioners, state attorneys, public defenders, sheriffs, magistrates, county administrators, facility engineers and operations managers, ADA coordinators, architects, attorneys, court staff, persons with disabilities, and Subcommittee members.

Training of Local Teams

Four one-day regional training programs were held to inform the Court Accessibility Team members about the accessibility requirements for court facilities and to equip them for conducting the surveys. More than 400 judges, clerks of court, county officials and staff, attorneys, architects, court staff, and members of the disability community participated in the training programs, which were held as follows:

- May 15, 2007, Civic Center and Supreme Court Building, Tallahassee
- May 17, 2007, Orange County Courthouse, Orlando
- May 21, 2007, Pinellas County Justice Center, Clearwater
- May 23, 2007, Palm Beach County Courthouse, West Palm Beach

Sessions at the training program included:

- A keynote speech by Chief Justice Lewis that was videotaped and posted on the Florida Courts website (see http://www.flcourts.org/gen_public/pubs/adamain.shtml);
- A presentation by an attorney from the U.S. Department of Justice on Title II accessibility of court facilities and how the Department resolves claims;
- An overview of the Title II requirements for removal of architectural barriers;
- A session on preparing to survey court facilities (common errors, how to use the survey form, tools and measuring techniques, etc.); and
- A hands-on practice survey exercise within an actual court facility.

The training agenda is included as Attachment 3.

The training program was pre-approved for up to 6.0 Continuing Judicial Education credit hours and 6.5 Continuing Legal Education Requirement credits. Participants who were members of other professions could apply for credit units through self-reporting to their respective accreditation organizations and providing documentation of their attendance at the program.

Every participant received a notebook of valuable resource materials as well as a certificate of completion issued by Chief Justice Lewis.

Overview of Survey Results

Over a period of many months, trial and appellate courts across the state worked diligently to complete the detailed survey forms. As anticipated, a variety of approaches was utilized to conduct the surveys, depending upon local circumstances. Some courts had to rely exclusively upon existing court staff, some had the benefit of a county facilities department that was able to complete most of the survey, some utilized the services of an architect or other ADA professional, and others cobbled together a combination of these approaches in order to be able to complete the surveys.

Although barriers remain, the accessibility of court facilities has improved significantly since the ADA was enacted in 1990. Those improvements are largely attributable to the construction of new courthouses and courthouse renovations. However, the condition of some Florida courthouses is such that accessibility concerns must compete for scarce funding with the need to repair leaking roofs, windows, or walls; attend to safety deficiencies; replace air handlers and mechanical equipment; and address basic maintenance needs.

Accessibility Improvements

Since the 1990s and through various funding mechanisms, the Florida Legislature has assisted small counties with updating their courthouses. ADA compliance has been a priority for the use of those funds and is emphasized by the Office of the State Courts Administrator in the administration of the grant-in-aid agreements. This aid has been especially beneficial to the rural areas of the state and has undoubtedly contributed to increased accessibility of these important government facilities.

The survey documented areas where Florida court facilities have achieved improved or full accessibility. For example, while a frequently-voiced concern relates to a perceived lack of accessible parking, the surveys documented that the proportion of accessible parking spaces often meets or even exceeds the minimum requirements. Nevertheless, due to the general scarcity of visitor parking in close proximity to many courthouses and because heightened security precautions have resulted in stricter parking policies, it may be difficult for court participants with mobility or other impairments to locate accessible parking or travel the distance to the courthouse.

Other elements where courts reported general compliance with the accessibility standards include: an adequate proportion of accessible entrances; paths of travel are usually wide enough and have compliant surfaces; at least one restroom within a facility is at least partially accessible; vertical access is provided to most courtrooms; routes within the courtroom are usually of proper width; there is often accessible seating in the courtrooms; some jury boxes and witness stands have been made accessible; the layouts of jury assembly and deliberation rooms are usually flexible enough to accommodate jurors who use wheelchairs or other mobility devices; some type of assistive listening system is usually available within the court facility; most alarm systems include both visual and audible signals; and many tables and work surfaces that are available for public use are accessible.

Documentation of Physical Barriers

The updated, comprehensive court facility surveys completed by the Florida state courts during this project documented remaining physical barriers. As might have been predicted, due to their commonality with those in other facilities across the nation, frequent errors noted during the survey include:

- Errors – oftentimes minor but problematic nevertheless – with the configuration, level/grade, striping, and signage at the accessible parking.
- Signage problems such as inadequate signage directing court users to accessible entrances and parking, signage not mounted at the correct height or in the correct location, no means for court staff to determine whether the Braille is correct, and a failure to install signage in courtrooms and jury assembly rooms indicating that assistive listening devices are available.
- While there are usually ramps in place, they were not always constructed completely in compliance with the ADA Standards for Accessible Design: slopes and cross slopes are sometimes too steep, handrails are not always provided on both sides when required, and handrails do not always extend 18” beyond the sloped segment at both top and bottom.
- Doors that are difficult to open, do not have the proper hardware, or are obstructed by movable items.
- Protruding objects such as electronic equipment that is mounted on the wall and fire extinguishers.
- In the courtroom, when spectator seating includes armrests there are not always seats with folding or retracting armrests. Stations in the courtroom (clerk, security officer, court reporter) often have a change in elevation and no ramp or lift is available. Counsel tables and judges benches do not always provide adequate knee space. Accessible lecterns that can be used independently by persons with disabilities are rare.
- Challenges in restrooms include problems with maneuvering clearance at doorways; accessible stalls that are not the correct dimensions; a lack of accessible urinals; grab bars are generally provided but are sometimes the wrong length or improperly installed; flush controls are occasionally mounted on the wrong side; dispensers are sometimes mounted in the wrong locations or heights.
- Alarm systems do not always include signal appliances in separate spaces such as jury rooms, restrooms, and conference rooms.
- Few TDDs or TTYs are available in court facilities.
- Some service counters are too high.
- Holding cells are not always fully accessible.

New Construction and Renovations

While new or renovated courthouses tend to be much more accessible, the surveys documented that those facilities had not always been designed and/or built in full compliance with the ADA

Standards for Accessible Design and the Florida code. Preventing similar errors in the future will require an increased awareness and attention to accessibility on the part of architects, building code enforcement entities, and contractors.

Updated Transition Plans

Individual courts are currently in the process of developing updated transition plans. To assist their efforts, they were provided with information about the requirements for and components of a transition plan (see Attachment 4), along with links to sample transition plans developed by other governmental entities. The transition plans will document the barriers, proposed solutions, estimated costs, and the responsible entities. Proposed solutions will include structural or physical modifications needed to make a court facility accessible, but solutions do not always require architectural changes to a facility.

Sorting Proposed Remedies by Difficulty and Cost

The barriers identified during the court accessibility survey are of varying complexities and the Subcommittee suggests they might be categorized as follows:

1. Those barriers in court facilities that can be remedied relatively quickly by ***maintenance*** staff, and involve low or moderate cost. Examples include installing proper signage; insulating the hot water and drain pipes under lavatories to protect against burns or cuts; installing door hardware that is operable with a closed fist; moving plants, chairs, garbage containers, and other items that are blocking access; and adjusting the opening force and closure timing on doors.
2. Those barriers in court facilities that can be remedied relatively quickly by changes in ***policies and procedures***, and involve low or moderate cost. Examples include establishing a policy to ensure that cases involving a juror or witness with a mobility impairment are held in a courtroom that has an accessible juror box or witness stand; establishing a procedure to appropriately screen court participants with disabilities who cannot travel through the magnetometer; and, if the stacks in a court library are not accessible, implementing procedures for staff to retrieve books for court participants with disabilities. Please note that appropriate judicial staff should be trained about these policies and procedures.
3. Those barriers in court facilities that will require more extensive architectural ***modifications*** to provide program access, and involve a moderate to high cost. Examples include installing ramps, lifts, and elevators; renovating bathrooms; reconfiguring an entrance; or remodeling courtrooms.

Prioritizing the Proposed Remedies

Each court will assign a priority to each proposed solution. The prioritization should consider the needs and resources specific to a jurisdiction. Factors to consider include whether there have been complaints or multiple requests for a particular accessibility feature (for example, complaints about the accessibility of the restrooms or multiple requests relating to assistive

listening equipment) or whether there is a relatively high proportion of persons with a particular type of disability residing within the jurisdiction. The Subcommittee recommends the following priorities:

PRIORITY ONE: Parking, passenger loading zones, exterior routes of travel, entrances, lobbies, and security checkpoints.

The first priority is to ensure that a person with a disability can ‘get through the door.’ This recognizes that providing actual physical access to a facility from public sidewalks, public transportation, or parking is generally preferable to any alternative arrangements in terms of both efficiency and the dignity of individuals with disabilities. These measures include, for example, installing an entrance ramp, providing handrails, widening entrances, and providing accessible parking spaces.

PRIORITY TWO: Interior routes of travel, service counters, courtrooms, jury assembly rooms, jury deliberation rooms, and other rooms or spaces where essential court programs, services, and activities are provided.

The second priority is to ensure that at least one of each area in which mission essential court services are provided to the public are accessible, as well as accessible paths to those areas. This includes, but is not limited to, one courtroom (larger jurisdictions should consider the need for one accessible courtroom for each type of case - family, civil, criminal, etc.), jury areas, one counter in the clerk’s office, one counter in the self help office, holding cells, and attorney-client meeting areas. These measures include, for example, rearranging tables, providing tactile signage, widening doors, providing visual alarms, lowering counters, providing accessible seating areas, providing assistive listening systems, removing protruding objects, or installing ramps.

PRIORITY THREE: Restrooms and toilets.

The third priority is to take measures to provide access to restroom facilities in the closest proximity to the accessible areas in which essential court programs and services are provided. These measures include, for example, removal of obstructing furniture or vending machines, widening of doors, installation of ramps, providing accessible signage, widening of toilet stalls, and installation of grab bars.

PRIORITY FOUR: Other access such as drinking fountains, telephones, cafeterias, concession stands.

The fourth priority is to take any other measures necessary to provide access to all programs and services of the court. This includes such items as accessible drinking fountains and public telephones.

Other Implementation Considerations

Notwithstanding the recommended priorities set forth above, courts should make modifications in policies and procedures to ensure that full and equal access is provided to a court participant with a disability. For example, if a specific courthouse does not have an accessible courtroom, the program would be required to be moved to a facility that has an accessible room that could be used as a courtroom.

The transition plan should describe the changes necessary to afford program accessibility. No matter what the financial circumstances of an individual court or county may be, every court needs to develop and work toward implementation of a transition plan. The plan should be reviewed and updated annually. It may be helpful to establish checkpoints, prior to the deadlines, to determine the implementation status of various barrier removal projects. The surveys should also be updated as further renovations are made in courthouses.

One member of the Subcommittee noted that from a construction standpoint, it is easier to do all of the changes to a facility at one time. On the other hand, he observed, when there are multiple facilities but limited resources, this approach may mean that people with disabilities must wait longer to be provided with access to programs and services in other facilities.

Subcommittee Recommendations for the Future

Transforming the entire complement of Florida's court facilities into places that are universally accessible to all will be an ongoing process for many years to come. Implementation of transition plans, by its very nature, is a long-term project. Maintaining the current momentum for this important initiative in these austere budget times, the Subcommittee observes, is a challenge that will require ongoing stewardship by the State Courts System. To be successful, this transformation will also require the collective efforts of the courts, counties, and communities across the state, as well as funding from the State of Florida and the counties.

The Subcommittee offers the following recommendations that it hopes will be of assistance as the initiative continues to move forward:

1. The Subcommittee believes there is an ongoing need for leadership in the Judicial Branch with regard to access for court participants with disabilities, including advocacy for funding to address the items identified during the surveys.
2. The Subcommittee believes that active participation by court personnel in the construction of new courthouses is critical.

3. The Subcommittee recommends that the State Courts System develop and distribute a checklist of common errors in new courthouse construction. The United States Department of Justice authored a publication that could be modified to include court elements and the Florida-specific regulations. Additionally, the United States Access Board courthouse accessibility project may yield some materials that will be helpful in this regard.
4. The Subcommittee recommends that the State Courts System develop model request for proposal (RFP) language and model contractual language with regard to the accessibility of new construction and renovation of court facilities. The language should require that all work comply with both the ADA Standards and the Florida code. The language should indicate that experience with the Florida accessibility code, in addition to experience with the ADA Standards for Accessible Design, is preferred. The contract should also direct third-party peer review within the scope of work. Such review would optimally occur at three points: the drawing phase; during construction of the primary areas; and post-construction (within 90 days of the certificate of occupancy). Another suggestion offered by the Subcommittee is that vendors be required to build-in construction tolerances for ramps and other accessibility elements.
5. The earlier problems are identified, the easier and less costly they are to fix. Accordingly, new construction and renovations requiring plans should be reviewed at the 50%, 75%, and 100% completion stages. Additionally, forms for ramps should be inspected before the concrete is poured.
6. In order to increase compliance and obviate the need for expensive retrofitting, architects, builders, contractors, inspectors, and other professionals should be held accountable for compliance with the ADA Standards and the Florida code with regard to newly constructed court facilities and renovations to existing court facilities.
7. Where physical barriers exist, courts should ensure that appropriate policies and procedures are in place to afford program accessibility. Judicial officers and court staff should be provided with training on those procedures.
8. Court maintenance staff should consult with court ADA coordinators with regard to court facility matters that may impact on accessibility.
9. Court staff, in conjunction with facility maintenance staff, should conduct walk-through reviews of court facilities on at least an annual basis for the express purpose of identifying any new accessibility problems that may arise.
10. To facilitate access to the courts for qualified individuals with disabilities, each trial and appellate court has designated at least one individual to serve as the court ADA coordinator. The court ADA coordinators are available to respond to requests for accommodations and other disability-related inquiries. The Subcommittee recommends

that the State Courts System standardize the selection and orientation of new court ADA coordinators.

Impact of the Surveys

Completion of the surveys represents an enormous allocation of resources by the Florida courts and counties. Laura Einstein, an attorney with the United States Department of Justice who spoke at two of the regional training sessions, said she believes Florida is the only state in the nation to embark on such a comprehensive initiative on a voluntary basis. The Subcommittee applauds the State Courts System for its willingness to address the accessibility of its facilities on a proactive basis.

The Subcommittee is confident that this initiative will continue to serve as a catalyst for long-term and meaningful accessibility improvements in the Florida court system for years to come. The survey process has, among other benefits, significantly increased awareness among judges and court staff about the obstacles encountered by court participants with disabilities.

The surveys have already resulted in improvements in the accessibility of court facilities from the Panhandle to the Keys. By way of example, in the Supreme Court Building the restrooms that serve the courtroom were renovated up to the Florida requirements for “new construction” (a higher standard than was required), the counsel tables were raised to provide sufficient knee space for persons who use wheelchairs or other mobility devices, an adjustable podium that can be used independently was installed, an enhanced assistive listening system was purchased for the courtroom, new tactile signage was installed throughout the entire building, the opening/closing pressure on internal doors was adjusted, and accessible water fountains were installed. Similar improvements have been made in other court facilities, as well, during the pendency of this project.

This initiative has placed Florida in the forefront on access to court facilities. The unique and comprehensive survey instrument has been received with great acclaim by state and national entities. The Florida court accessibility initiative has also been the subject of articles in The Florida Bar News, educational presentations by Disability and Business Technical Assistance Center (DBTAC), and discussed at meetings of the United States Access Board.

Closing Remarks

Chief Justice Lewis believed it was timely and appropriate for the judicial branch to once again review the accessibility of its court facilities and develop updated transition plans. His objective was to encourage the continued meaningful progress toward full accessibility of all court facilities in this state. The Subcommittee commends Chief Justice Lewis for his inspiring leadership on this much-needed initiative.

The need for accessible court facilities is tremendous, and the impact on individuals with disabilities who have business before the courts is incalculable. This statewide project affects all Florida courts and the people they serve. There are more than 4,000 State Courts System judicial officers and employees in courts throughout the state, approximately 5,800 employees in the 20 state attorneys' offices and 2,700 employees in the 20 public defenders' offices, and an additional 8,500 employees have been reported as employed in the 67 offices of the clerks of courts. Many other Floridians will benefit from improved accessibility of courts, as well. Over four million cases a year are filed in Florida courts. Collectively, those cases involve a multitude of parties, victims, witnesses, jurors, and other interested persons, all of whom will benefit from accessible court facilities. Numerous other people will benefit from this initiative as well, including attorneys, court interpreters, court reporters, mediators, and other law-related professionals who frequently interact with the courts.

While the work of the Subcommittee is complete, implementation efforts will continue in the court system for years to come.

Please let me know if you or the other Standing Committee members have any questions or if I may be of further assistance.

Very truly yours,

A handwritten signature in black ink that reads "Nick Sudzina". The signature is written in a cursive, slightly slanted style.

Nick Sudzina
Trial Court Administrator, Tenth Circuit
Chair, Court Accessibility Subcommittee

NS:dgh

Attachments

Alternate Formats

Upon request by a qualified individual with a disability, this document will be made available in alternate formats. To order this document in an alternate format, please contact Debra Howells, State Courts ADA Coordinator, Office of the State Courts Administrator, 500 South Duval Street, Tallahassee, Florida 32399-1900; telephone 850-922-4370; email ada@flcourts.org.

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