



NCAOC DISABILITY ACCESS BENCH CARD

IT IS THE POLICY of the North Carolina Judicial Branch that all court proceedings, services, programs, activities and facilities be fully accessible to individuals with disabilities as required by fairness and justice, the Americans with Disabilities Act (ADA), the Rehabilitation Act of 1973 and the NC Persons with Disabilities Protection Act.

The ADA requires that courts make reasonable modifications in policies, practices or procedures when the modifications are necessary to avoid discrimination based on disability. The ADA also requires public entities to provide the individual's **first choice** of requested accommodation(s) unless it is not available or not reasonable. Modifications are not required if they would fundamentally alter the nature of the service, program or activity or cause an undue financial or administrative burden. **Denial of an accommodation must be provided in writing.**



NAVIGATION TIPS:

1. What is the accommodation being requested?
2. How will it affect the person's disability?
3. What specific policies, procedures or practices would need to be modified or altered to allow the accommodation?
4. What would the proceedings or interactions with court personnel or processes look like if the accommodation is granted?
5. What harms, if any, would granting the accommodation request create or exacerbate?
6. If there are harms, can they be diminished or lessened?

If you are still unsure how to proceed, please contact your local Disability Access Coordinator (DAC) at [CountyName].DAC@nccourts.org.

SERVICE ANIMALS:

Under the ADA, service animals are allowed to accompany people with disabilities in all areas of a facility where the public is allowed to go, including courtrooms and other areas of the courthouse. Service animals are dogs (any breed, any size) and miniature horses.

*Emotional support and therapy animals are *not* service animals. However, they should be considered under the general ADA reasonable modification standards.*

Court personnel are permitted to ask only **two** questions regarding a service animal:

1. **Is the service animal required because of a disability?**
2. **What work or task has the animal been trained to perform?**

Court personnel are **not** permitted to ask about the nature of the person's disability, that the animal demonstrate its ability to perform tasks, for training or certification documentation, or that the animal wear a vest or ID card. A person with a disability can be asked to remove their service, emotional support or therapy animal from the premises if:

1. The animal is out of control and the handler does not take effective action to control it (by leash, tether or verbal commands); or
2. The animal is not housebroken.



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AMERICAN SIGN LANGUAGE (ASL) INTERPRETER VS. CERTIFIED DEAF INTERPRETER (CDI)

ASL Interpreter:

- Typically hearing individuals with ASL as a second language;
- Extensive training to become professional interpreter;
- As focus is on interpreting spoken language into sign language, signing may not always be as accurate.

CDI:

- Typically born deaf or hard of hearing, thus already part of the Deaf community and has a strong sense of Deaf culture;
- Certified to provide interpreting services to Deaf consumers who may have linguistic impairments that prevent them from fully utilizing a traditional ASL interpreter;
- Specializes in the use of interpreting, gestures, miming, incorporating props, drawings and other tools to provide detailed deaf communication.

ASL interpreters and CDIs often work in tandem to produce more accurate interpretation. The ASL interpreter will interpret the spoken language into ASL for the CDI, who then interprets it for the Deaf individual. In turn, the Deaf individual will sign to the CDI, who interprets into ASL for the ASL interpreter, who then interprets into the spoken language. A CDI will never work alone.

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COMMUNICATION ACCESS REALTIME TRANSLATION (CART)

- CART is a real-time, word-for-word transcription of the spoken language created by a live, certified professional also known as a CART provider;
- Professionals provide captioning using special stenography equipment that is connected to a computer;
- For onsite services, the CART provider and the viewer are in-person at the same location and captions are viewed on a mobile device, laptop or projected onto a screen. For remote services, the CART provider and viewer are at different locations and transmission is through the internet. A web link is supplied by the CART provider to access the captions;
- CART services are often used by people who are Deaf or hard of hearing and do not understand ASL.

AUXILIARY AIDS AND SERVICES (NON-EXHAUSTIVE LIST):

- Text-to-speech devices/apps for individuals with speech disabilities
- Large-print materials
- Electronic documents that are Optical Character Recognition (OCR) compliant for use with a screen reader
- Qualified Reader: someone who is able to read effectively, accurately and impartially, using any necessary specialized vocabulary for individuals who are blind or low-vision
- CART services
- Sound amplifier such as a Pocket Talker
- Emotional support or therapy animal (not provided by court)
- Support person (not provided by court)