



MAY - 1 2007

Supreme Court of Florida

500 South Duval Street
Tallahassee, Florida 32399-1925

R. FRED LEWIS
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KENNETH B. BELL
JUSTICES

THOMAS D. HALL
CLERK OF COURT

MEMORANDUM

EDWARD DeCOSTE
MARSHAL

TO: DCA and Circuit Court Chief Judges
Chairs of the Court Accessibility Teams
Appellate Court Marshals
Trial Court Administrators

FROM: Chief Justice R. Fred Lewis

DATE: April 18, 2007

SUBJECT: Surveying Court Facilities to Determine their
Accessibility for Persons with Disabilities

First, I thank the courts, counties, constitutional officers, professional associations, and disability organizations for the cooperative approach in assembling the outstanding membership for each and every Court Accessibility Team. The leadership abilities and subject matter expertise embodied on the teams are impressive. I also acknowledge the significant amount of time that is associated with participation on the teams. Your efforts to date are greatly appreciated, and I look forward to ongoing collaboration among our organizations as this important initiative continues to move forward.

We also take this opportunity to provide additional information about the upcoming training sessions which will prepare our teams for surveying the architectural accessibility of the court facilities in our respective jurisdictions. We

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ask that you please distribute this information to the members of your Court Accessibility Team.

Dates and Locations

Four one-day regional training sessions are scheduled for the following dates and locations:

May 15, 2007, Civic Center, Tallahassee

May 17, 2007, Orange County Courthouse, Orlando

May 21, 2007, Pinellas County Justice Center, Clearwater

May 23, 2007, Palm Beach County Chambers, West Palm Beach

Attached is a schedule that reflects the teams assigned to each session, based on geographical proximity.

Agenda

As you can see from the enclosed program agenda, after the opening remarks and welcome, we will hear from an attorney with the United States Department of Justice who will explain how the Department resolves claims involving inaccessible courthouses, the implications of the United States Supreme Court's ruling in Tennessee vs. Lane, and other relevant issues. A manager with the Advocacy Center for Persons with Disabilities will then briefly convey his experiences in conducting ADA site reviews of Florida courthouses. In the next segment, an architect and an ADA expert will discuss how state and federal laws, standards, and guidelines apply to architectural accessibility of Florida court facilities. After lunch, the teams will be introduced to the survey instrument, be informed about survey techniques and measuring tips, and examine the tools and resources that will be beneficial in surveying the court facilities. Finally, the teams will engage in a hands-on exercise with the objective of gaining practical survey experience.

Travel Arrangements

Statewide funding is available to support the faculty, materials, and meeting sites for the training programs, but participants' organizations will be responsible for their own travel expenses.

The presentations are scheduled to start at 9:30 a.m. to reduce the need for overnight travel. For those who require overnight reservations, a block of rooms has been reserved at each location. The attached Hotel Accommodations flyer provides the necessary information if you would like to take advantage of the negotiated room rates.

ADA Survey Tool Kit

You were previously provided with a list of tools that will be helpful in conducting the ADA surveys, including items such as a measuring tape, door pressure gauge, slope meter, and a camera. Each Court Accessibility Team should bring one ADA survey tool kit to the training session, for use during the hands-on survey exercise.

RSVP

This is an exciting and information-packed agenda, and I encourage as many team members as possible to participate in the training session scheduled for their area. Even the team members who will not be personally involved in conducting the surveys will benefit, as the training will broaden and enrich the overall understanding of the scope of the project as well as the tremendous need to improve the accessibility of court facilities.

For planning purposes, we ask that each team's chair or designee notify us of the number of team members who will attend the regional training session. Please send that information to Debbie Howells at 850-922-4370 or osca@flcourts.org.

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ADA Accommodations

Persons with disabilities who need an accommodation to participate in the regional training sessions are requested to contact Debbie Howells, 500 S. Duval Street, Tallahassee, FL 32399-1900, telephone 850-922-4370, email osca@flcourts.org, as soon as possible. Persons using a TDD may contact Ms. Howells through the Florida Relay Service.

Again, many thanks for your contributions to the Court Accessibility Initiative.

RFL/dgh

Enclosures

cc: Florida Association of Counties
Florida Association of Court Clerks

SCHEDULE OF REGIONAL TRAINING SESSIONS

Access to the Courts: Removing Architectural Barriers

Working Draft: March 30, 2007

May 15, 2007, Civic Center, Tallahassee:

- 1st Circuit – Pensacola (4 counties)
- 4th Circuit – Jacksonville (3 counties)
- 14th Circuit – Panama City (6 counties)
- 2nd Circuit – Tallahassee (6 counties)
- 3rd Circuit – Lake City (7 counties)
- 8th Circuit – Gainesville (6 counties)
- 1st DCA
- Supreme Court

May 17, 2007, Orange County Courthouse, Orlando:

- 5th Circuit – Ocala (5 counties)
- 7th Circuit – Daytona (4 counties)
- 9th Circuit – Orlando (2 counties)
- 18th Circuit – Melbourne (2 counties)
- 5th DCA

May 21, 2007, Pinellas County Justice Center, Clearwater:

- 6th Circuit – St. Pete/Clearwater (2 counties)
- 10th Circuit – Bartow (3 counties)
- 12th Circuit – Sarasota (3 counties)
- 13th Circuit – Tampa (1 county)
- 20th Circuit – Ft. Myers (5 counties)
- 2nd DCA

May 23, 2007, Palm Beach County Courthouse, West Palm Beach:

- 11th Circuit – Miami (1 county)
- 15th Circuit – Palm Beach (1 county)
- 16th Circuit – Key West (1 county)
- 17th Circuit – Ft. Lauderdale (1 county)
- 19th Circuit – Ft. Pierce (4 counties)
- 3rd DCA
- 4th DCA

**ACCESS TO THE COURTS:
REMOVING ARCHITECTURAL BARRIERS**

MAY 15, 17, 21, AND 23, 2007

INTRODUCTORY REMARKS (9:30 – 9:40)

- Nick Sudzina, Chair, Court Accessibility Subcommittee

WELCOME (9:40 – 10:00)

When he was installed as Chief Justice of the Florida Supreme Court in July 2006, Fred Lewis announced that access to court facilities from Pensacola to Key West would be a priority for his administration. Chief Justice Lewis directed the 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 Americans with Disabilities Act of 1990 and the Florida Accessibility Code for Building Construction. The emphasis of the project is the removal of architectural barriers.

- Chief Justice R. Fred Lewis, Supreme Court of Florida

**RESOLUTION OF CLAIMS INVOLVING INACCESSIBLE
COURTHOUSES (10:00 – 10:45)**

The United States Department of Justice is charged with the responsibility of enforcing Title II of the Americans with Disabilities Act of 1990. How does the Department of Justice resolve claims involving inaccessible courthouses and program access to judicial proceedings? What are the implications of Tennessee vs. Lane with regard to Title II accessibility of court facilities? Can monetary damages be awarded in private lawsuits arising out of claims involving inaccessible court facilities?

- Laura Einstein, Attorney, Disability Rights Section, Civil Rights Division, United States Department of Justice, Washington, D.C.
- Tracy R. Justesen, Attorney-Advisor, Civil Rights Division, United States Department of Justice, Washington, D.C.

ADA SITE REVIEWS OF FLORIDA COURTHOUSES (10:45 – 10:50)

The Advocacy Center for Persons with Disabilities, Inc. provides protection and advocacy services in the State of Florida. Over the years, the Advocacy Center has conducted numerous site reviews of courthouses across the state. What were the results of those site reviews? What are some common barriers that were identified?

- Steve Howells, Equal Access to the Community Team, Advocacy Center for Persons with Disabilities, Inc.

STRETCH BREAK (10:50 – 11:00)

TITLE II REQUIREMENTS FOR REMOVAL OF ARCHITECTURAL BARRIERS (11:00 – 11:30)

Florida has a large population of elders and persons with disabilities who need access to the courts in order to conduct their legal business. The Americans with Disabilities Act of 1990 prohibits state and local government entities from discriminating against individuals on the basis of disability. What are the State Courts System's obligations under Title II to ensure architectural accessibility to court facilities? Which laws, standards, and guidelines apply to Florida court facilities?

- Jack Humburg, Florida ADA Community Network Administrator, Boley Centers
- Larry Schneider, AIA, Architect

LUNCH ON YOUR OWN (11:30 – 12:30)

PREPARING TO SURVEY FLORIDA COURT FACILITIES (1:00 – 3:00)

Chief Justice Lewis has charged every trial and appellate court in Florida with re-evaluating their facilities to determine the architectural accessibility for persons with disabilities. Each court has established a local Court Accessibility Team, which will be responsible for surveying the facilities and overseeing the initiative within their respective jurisdictions. What steps do the teams need to take to ensure they are prepared to conduct the surveys? What tools and resources are available to assist the teams in conducting these extensive surveys?

- Larry Schneider, AIA, Architect
- Jack Humburg, Florida ADA Community Network Administrator, Boley Centers

STRETCH BREAK (3:00 – 3:10)

PRACTICE SURVEY EXERCISE (3:10 – 4:50)

Chief Justice Lewis has charged every trial and appellate court in Florida with re-evaluating their facilities to determine the architectural accessibility for persons with disabilities. Each court has established a local Court Accessibility Team, which will be responsible for surveying the facilities and overseeing the initiative within their respective jurisdictions. This exercise will provide team members with practical, hands-on experience to prepare them for using the survey instrument and the ADA tool kit as they conduct these extensive surveys.

- Members of the Court Accessibility Subcommittee

WRAP UP SESSION (4:50 – 5:00)

- Nick Sudzina, Chair, Court Accessibility Subcommittee

Court Accessibility Regional Training Sessions

Hotel Accommodations

Tallahassee Session:

Wingate Inn – Tallahassee
2516 Lakeshore Drive
Tallahassee, FL 32303
Phone: (850) 553-4400
Reservations: 1-800-228-1000
Overnight Stay – Monday, May 14th
Training Session – Tuesday, May 15th
29 King size rooms @ \$99
21 Queen size rooms @ \$99
Special reservation code: Court Access Training
Website www.wingateinns.com

Orlando Session:

Marriott Orlando Downtown Hotel
400 W. Livingston Street
Orlando, FL 32801
Phone: (407) 843-6664
Toll Free: 1-800-574-3160
Overnight Stay: Wednesday, May 16th
Training Session: Thursday, May 17th
Run of the house (can get a single, double, triple, or quad room) @ \$89
Special reservation code: Court Access Training
Website <http://marriott.com/hotels/travel/mcodt-orlando-marriott-downtown/>

Pinellas County Session:

Radisson Hotel & Conference Center
12600 Roosevelt Boulevard
St. Petersburg, FL 33716
Phone: (727) 572-7800
Reservation: 1-888-201-1718
Overnight Stay: Sunday, May 20th
Training Session: Monday, May 21st
Run of the house @ \$88
Special reservation code: Court Access Training
Website www.radisson.com/stpetersburgfl

Palm Beach Session:

Hilton Palm Beach Airport Hotel
150 Australian Avenue
West Palm Beach, FL 33406
Phone: (561) 684-9400
Overnight Stay: Tuesday, May 22nd
Training Session: Wednesday, May 23rd
30 King size rooms @ \$110
Special reservation code: Court Access Training
Website www.hilton.com