



SUPERIOR COURT OF CALIFORNIA COUNTY OF MONTEREY

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ADA Coordinator (831) 775-5400 ext. 3013

www.monterey.courts.ca.gov/ada

ADA Accommodation Review of Request Policy

Both California and federal law require that state and local governments, including courts, provide appropriate accommodations for persons with disabilities. This Review Policy is established in accordance with the requirements of the [Americans with Disabilities Act of 1990 \(ADA\)](#).

The Superior Court of California, County of Monterey adheres to [California Rule of Court 1.100](#), which enables lawyers, parties in a case, witnesses, jurors, and other people with disabilities to request accommodations from a court.

Denial of Accommodation Request:

A request for accommodation may be denied because the court determined that:

- 1.) The applicant has failed to satisfy the requirements of Rule 1.100;
- 2.) The requested accommodation would create an undue financial or administrative burden on the court; or
- 3.) The requested accommodation would fundamentally alter the nature of the service, program or activity.

Review Procedure:

- (1) If the determination to grant or deny a request for accommodation is made by nonjudicial court personnel, an applicant or any participant in the proceeding may submit a written request for review of that determination to the presiding judge or designated judicial officer. The request for review must be submitted in person or by mail within 10 days of the date the response was delivered in person or sent.
- (2) If the determination to grant or deny a request for accommodation is made by a presiding judge or another judicial officer, an applicant or any participant in the proceeding may file a petition for a writ of mandate under [rules 8.485-8.493](#) or [8.930-8.936](#) in the appropriate reviewing court. The petition must be filed within 10 days of the date the response was delivered in person or sent to the petitioner. For purposes of this rule, only those participants in the proceeding who were notified by the court of the determination to grant or deny the request for accommodation are considered real parties in interest in a writ proceeding. The petition for the writ must be served in person or by mail on the respondent court and any real party in interest as defined in this rule.

All information of the applicant concerning the request for accommodation and review will be treated and maintained as confidential. All written requests for review will be retained by the court for at least three years.

It is the mission of the Monterey County Superior Court to serve the public in a respectful, courteous and efficient manner promoting trust and confidence in the legal system by providing fair, equal and open access to justice.