

ADA Grievance Procedure

The ADA grievance procedure is available to anyone who wants to file a complaint regarding (1) discrimination based on disability or (2) the failure to provide a reasonable accommodation that would enable an individual to fully participate in court proceedings, services, or programs and activities of the New Mexico Courts.

- 1) **Filing a Grievance:** To file a grievance, complete the New Mexico Judiciary Complaint Form. Alternative ways to submit a complaint form are available if an ADA accommodation or help with language barriers are needed, as required by Title VI of the Civil Rights Act of 1964. The Complaint Form should be completed by the requestor or their designee as soon as possible, but not later than thirty (30) calendar days after the alleged discrimination occurred, and submitted to:

Peggy Cadwell
Statewide ADA Title II Coordinator
New Mexico Administrative Office of the Courts
ADA@nmcourts.gov

- 2) **Response:** The Statewide ADA Title II Coordinator will review all complaints submitted within fifteen (15) calendar days of receipt. The ADA coordinator may request additional information to fully and fairly review the grievance.

The Statewide ADA Title II Coordinator will respond in writing within thirty (30) calendar days. The response will be in a format that is accessible to the requester, such as large print, Braille, or audio, if needed. The response will explain the position of the New Mexico Courts and suggest ways to resolve the grievance.

- 3) **Appeal:** If the grievance is not resolved with the Statewide ADA Title II Coordinator, it can be appealed to the Director of the Administrative Office of the Courts. Appeals must be submitted within fifteen (15) calendar days after receiving the written decision from the Statewide ADA Title II Coordinator.

Upon receiving the appeal, the Director will review the discrimination claim and proposed solution, then send a written decision to the requester.

Applicable federal statutes and regulations: Section 504 of the Rehabilitation Act of 1973, which prohibits discrimination by federally funded organizations on the basis of disability in the delivery of services and employment practices (29 U.S.C. § 794) and 28 C.F.R. Part 42, Subpart G; Title II of the Americans with Disabilities Act of 1990, which prohibits discrimination on the basis of disability in the delivery of services and employment practices (42 U.S.C. § 12132) and 28 C.F.R. Part 35