

Jill Clark

From: Jill Clark
Sent: Friday, October 12, 2012 8:54 AM
To: Heyl, Carla
Subject: RE: Request for reasonable accommodation

This is not a full response to your email, which I have not had time to fully consider.

Your refusal to guarantee confidentiality and refusal even to answer direct questions is communicating to me that the Judicial Branch will not protect my confidentiality.

Public employees' privacy is protected, and judges' privacy is protected by the RARJB even when it harms clients. This is an obvious equal protection problem.

Your emails are only adding to the claims against the Judicial Branch.

Thanks,

Jill Clark, Esq.
Jill Clark, LLC
Telephone: 763/417-9102
Fax: 763/417-9112
jill@jillclarkllc.com

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From: Heyl, Carla [mailto:Carla.Heyl@courts.state.mn.us]
Sent: Friday, October 12, 2012 8:31 AM
To: Jill Clark
Subject: RE: Request for reasonable accommodation

Dear Ms. Clark,

The judicial branch continues to respond and to attempt to address your issues. As you know the judicial branch complies with the ADA on an individual basis, as is required under federal law. I will not repeat my previous statements in prior emails to you.

First, if you have specific concerns about the confidentiality of information submitted by you, please explain them in light of the rules on public access to court information.

Second, if you will identify the pending court matters for which you are requesting an accommodation, I will forward any documentation to the presiding judges who will make the final determination on accommodation issues.

Carla Heyl
Legal Counsel Division, Director
State Court Administrator's Office
25 Rev. Dr. Martin Luther King, Jr. Blvd.
St. Paul, Mn 55155
651.282.2067

From: Jill Clark [mailto:jill@jillclarkllc.com]
Sent: Thursday, October 11, 2012 5:02 PM

To: Heyl, Carla

Subject: RE: Request for reasonable accommodation

The entity is required to accommodate. Please cite to law that shows an attorney seeking accommodation must move each court for a continuance (or move two different courts). Failure to cite any law supporting your position will be duly noted.

Further, your email points out the inconsistency in the so-called process. If Chief Judge Cahill is to be ruling on continuances, then why is a single judge issuing mandates? The courts clearly lack coordination of the requested accommodation. It is not my job to coordinate the courts/judges, and expecting me to do so while disabled (and amid a fluctuating, inconsistent, non-documented process) is abusive. I am sorry, I am not going to put up with any more abuse.

Apparently you have rejected out of hand (without even considering it, let alone complying with ADA law) the request for reasonable accommodation that one point person be appointed to deal with these issues.

Please don't tell me again that the Judicial Branch will follow the rules of access to records of the judicial branch. That has no meaning, as has been stated in the past. Are the medical records going to be kept confidential or not? It's a simple question: the refusal to answer it makes me believe that you don't intend to protect my confidentiality.

It is simply not accurate that the Judicial Branch has been "attempting to discuss" the requests for accommodation. Emails will show that the courts first requested "evidence," then "documents," but would never: a) clarify what it wanted or for what purpose; or b) answer whether the documents would be kept confidential.

Documentation is available. Directly answer the questions (including guaranteeing confidentiality) and it will be provided post haste.

You keep saying to call you, but I am not sure what you want to talk about, and you have never told me. And I am leery of phone conversations, because people can testify differently about their content later, which only creates confusion and expands litigation. I have been frank with you in the past that I would like a record of these communications. Is there something wrong with that?

Finally, the courts have never provided any written policy or process to me despite numerous requests. Your emails have been inconsistent and confusing. It is the entity's affirmative duty to accommodate, and this process has been frustrating and ineffective, and even harmful. I am sorry to have to so state, but that is what has occurred.

With respect, I am not going to wait much longer. This process has been extremely painful for me, and has exacerbated my symptoms. What are you doing to assist this process, and keep it from being so stressful?

Jill Clark, Esq.

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From: Heyl, Carla [<mailto:Carla.Heyl@courts.state.mn.us>]

Sent: Thursday, October 11, 2012 4:32 PM

To: Jill Clark

Subject: RE: Request for reasonable accommodation