

REQUEST FOR ACCOMMODATION RE ATTORNEY JILL CLARK

TO: State of Minnesota via Solicitor General
Minnesota Judicial Branch (copies to Supreme Court, Clerk of Appellate Courts,
Court of Appeals, Chief Judges in Fourth District, Second Judicial District, Tenth
Judicial District, and First Judicial Districts (for all judges in those districts))
From: Temporary Manager, Jill Clark, LLC (temp.manager@jillclarkllc.com)
Date: July 9, 2012

Americans with Disabilities Act applies to state courts

The State of Minnesota is a public entity within the meaning of 42 U.S.C. 12131(1), subject to Title II of the Americans with Disabilities Act of 1990 (“ADA”), 42 U.S.C. §§ 12131-12134 (see *Galloway v. Superior Court of Dist. of Columbia*, 816 F. Supp. 12 (D.C. Cir. 1993)). If the Courts receive any federal funding they must also comply with Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794.

Congress enacted the ADA in 1990 “to provide a clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities.” 42 U.S.C. § 12101(b)(1). It found that “historically, society has tended to isolate and segregate individuals with disabilities, and, despite some improvements, such forms of discrimination against individuals with disabilities continue to be a serious and pervasive social problem.” 42 U.S.C. § 12101(a)(2).

For those reasons, Congress prohibited discrimination against individuals with disabilities by public entities: “[N]o qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity.” State courts are covered by the ADA and must comply with it. See *Muhammad v. Court of Common Pleas*, 2012 U.S. App. LEXIS 9781 (3d Cir. 2012).

Clark is a qualified person with a disability & requests accommodation

Clark was recently diagnosed with a seizure disorder, which either impairs major life activities while unmedicated, or which is regarded as impairing major life activities while medicated.

Jill Clark, LLC requests that Attorney Jill Clark be granted the reasonable accommodation of permitting her to acclimate herself to the seizure-control medications, and that all court matters be delayed for this reasonable period of time. Doctors continue to be consulted, and JCLLC will provide more information about the length of the acclimation period needed, as that information becomes available.