

ADA Grievance Procedure

The ADA grievance procedure may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in court proceedings, the provision of services, or programs and activities of any of the District or Magistrate Courts in the Eleventh Judicial District. To file a grievance, complete the Grievance Form found on the Court's website or available from the Court Clerks. Alternative means of filing a grievance will be made available upon request for an ADA accommodation or an accommodation for limited English proficiency pursuant to Title VI of the Civil Rights Act of 1964. The grievance should be submitted by the requestor and/or his/her/their designee as soon as possible but not later than thirty (30) calendar days after the alleged discrimination occurred to:

Linda Padilla
ADA Coordinator/Attorney Senior
Eleventh Judicial District & Magistrate Courts
11thADA@nmcourts.gov
(505) 863-6816

Immediately upon receipt of the grievance, the ADA Coordinator will forward the grievance to the Deputy CEO. Within fifteen (15) calendar days after the receipt of the grievance, the Deputy CEO will meet with the requestor to discuss the alleged discrimination and possible resolution.

Within thirty (30) calendar days after this meeting, the Deputy CEO will respond in writing and, where appropriate, in a format accessible to the requester, such as large print, Braille, audio or accessible video tape. The response will explain the position of the Eleventh Judicial District and Magistrate Courts and offer options for substantive resolution of the grievance.

In the event the grievance cannot be resolved by the Deputy CEO, further appeal may be made to the Chief Executive Officer. The requestor shall submit their appeal to the Chief Executive Officer within fifteen (15) calendar days of receiving the written decision by the Deputy CEO.

Upon receipt of the appeal, the Chief Executive Officer will review the alleged discrimination as well as the proposed resolution and within thirty (30) calendar days, provide the requestor with a written decision. All grievances received by the ADA Coordinator and the corresponding responses to the grievances shall be maintained by the Eleventh Judicial District and Magistrate Courts for a minimum period of three years.

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