

The official newsletter of the
Louisiana Justices of the Peace & Constables Association

PEACE TALK



November 2020



PEACE TALK

A Message from the President Judge Kevin J Centanni

The Louisiana Justices and the Peace and Constables Association has not been exempt from the myriad of challenges facing our society in 2020. Notwithstanding the legal restrictions born from the COVID-19 pandemic and weathering and recovering from three major hurricanes, our organization played a critical role in successfully eliminating the mandatory retirement age of 70, participated in the annual training conference, and continued to publish information necessary to administer justice.

With numerous administrative challenges and new legal constraints encountered over the past eight months, it has become apparent that our association's needs justify the retention of a paid professional executive director in the future.

Despite challenges stemming from the COVID-19 pandemic, your association legislatively delivered to our members and non-members alike the revocation of the law which forced our members to retire at age 70. We emphasized the importance of this issue to our elected state legislative officials, and by way of tremendous efforts from and the support of our state legislature, we succeeded in eliminating this age restriction. Special thanks to Representatives Kyle Green and Larry Bagley as well as Senator Gary Smith for authoring and handling this legislation. Mission accomplished!

The corona virus pandemic has created immense challenges for our offices and association. Collectively we have been hard at work instituting our own new procedures while navigating immediate funding losses, lost compensation, suspended operations, newly-enacted temporary laws, state and Supreme court mandated orders, CDC guidelines and Orders, and ADA compliance.

We have advocated for our offices via collaborative efforts with the Attorney General's Office, the Louisiana Supreme Court, Legislative Auditor's Office, Louisiana Unemployment Office, Governor's Office, State Legislators, and members of congress and their staff. This has led to potential benefits including unemployment compensation and reimbursement for direct COVID-19 related expense reimbursement and possible compensation through the Federal CARES Act. We promoted and informed our members of alternative training available for compliance with the CARES Act and Orders. Additionally your association assisted our members with compliance with new ADA concerns and distributed new compliance forms and informational handouts.

Furthermore, the Louisiana Justices of the Peace and Constables Association issued press releases to keep the media, public, and members abreast of new information, which was disseminated to our members through emails and social media.

In late August as well as October, our communities weathered Hurricanes Laura, Sally and Zeta while many of our offices continued to juggle administering justice and navigating pandemic restrictions. The preparation for and aftermath of the hurricanes added another layer of challenges, complicating our ability to function efficiently and effectively.

2020 being an election year, those Justices of the Peace and Constables running for re-election bore the additional tasks of preparing and executing campaigns during these trying times.

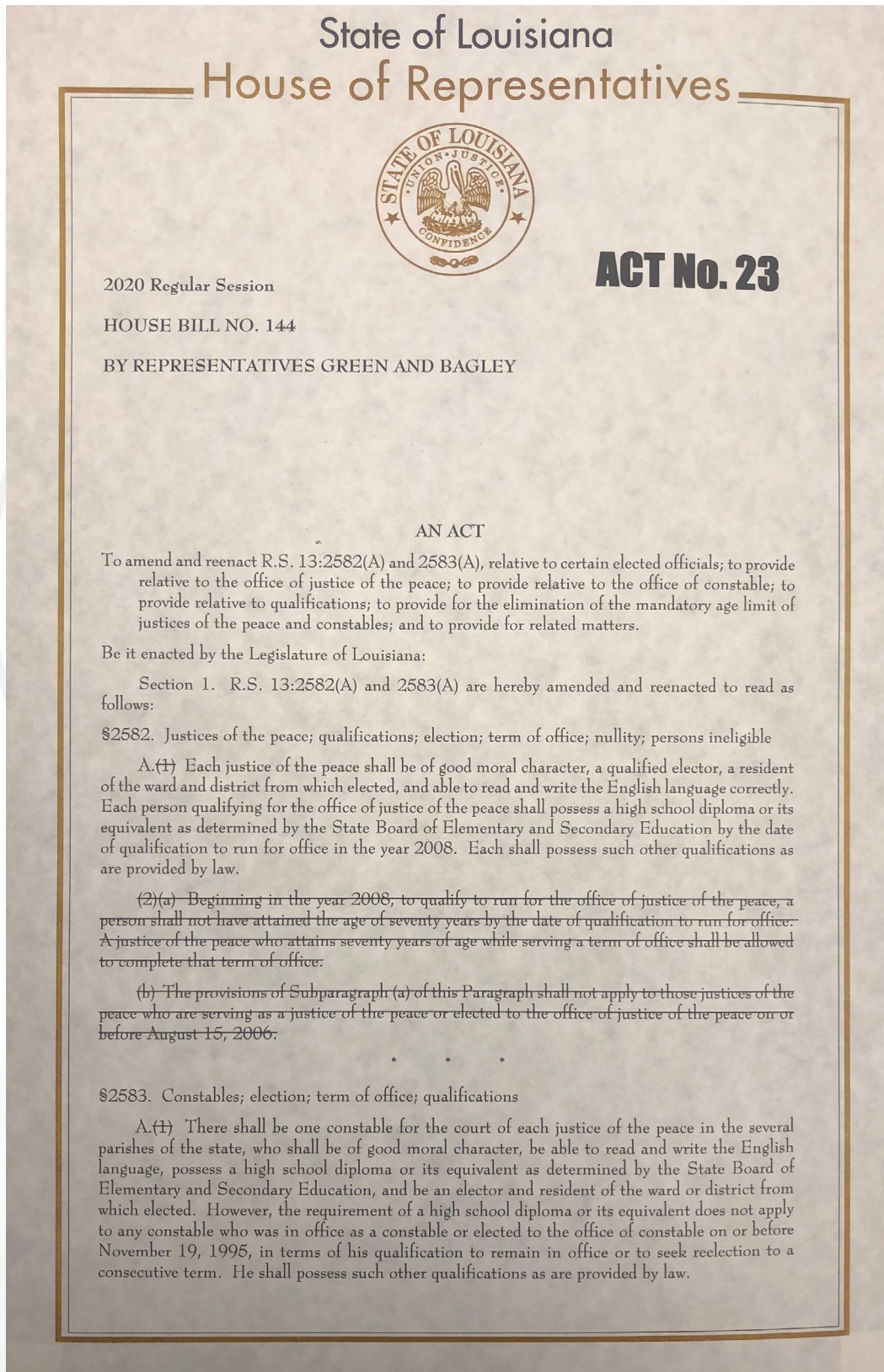
Finally, nationwide concerns, unrest, and protests in support of and against law enforcement practices continue to further compound the multitude of challenges facing our elected offices and communities.

Now more than ever, the Louisiana JPs and Constables Association has proven its value and the importance of an energetic existence and continued expansion. I strongly encourage all to participate, assist and support our association.

On behalf of the Board of Directors, please remain safe, healthy, and dedicated to improving our justice court system.

**Best Regards,
Judge Kevin J Centanni, President
Louisiana Justices' of the Peace and Constables' Association**

LJPCA - SUCCESSFUL ELIMINATING AGE 70 MANDATORY RETIREMENT



(2)(a) Beginning in the year 2008, to qualify to run for the office of constable, a person shall not have attained the age of seventy years by the date of qualification to run for office. A constable who attains seventy years of age while serving a term of office shall be allowed to complete that term of office.

(b) The provisions of Subparagraph (a) of this Paragraph shall not apply to those constables who are serving as a constable or elected to the office of constable on or before August 15, 2006.

* * *

Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.



Clayton Delp
SPEAKER OF THE HOUSE OF REPRESENTATIVES

Patrick Poy Carter
PRESIDENT OF THE SENATE

John Bel Edwards
GOVERNOR OF THE STATE OF LOUISIANA



Representative Kyle Green invited us to a “social distancing” bill signing ceremony on House Bill 144. This new state law which is now Act 23, allows JPs and constables to run for office beyond age 70. It has been a long-time goal to repeal the law that imposed a mandatory retirement age on JPs and constables. This picture was taken on June 9, 2020 in the Governor’s Press Conference Room at the Louisiana State Capitol. From left to right are Senator Gary Smith, Representative Larry Bagley, Governor John Bel Edwards, Judge Kevin Centanni, Representative Kyle Green and Cindy Bishop, Checkmate Strategies.

LJPCA 2018-2020 BOARD OF DIRECTORS

PEACE TALK

November 2020

President Kevin J. Centanni

JOP, Jefferson Parish
1803 Williams Blvd.
Kenner City Hall, Building C
Kenner, LA 70062
(504) 466-7984 office
(504) 462-9603 cell
judgecentanni@6JPC.com

Past President Connie G. Moore

JOP, St. Tammany Parish
73477 Tammy Lane
Covington, LA 70435
(985) 892-4486 office
(985) 264-5201 cell
conniegmoore@charter.net

Vice President Michael Tassin

JOP, St. Tammany Parish
100 Galeria Blvd, Suite 3
Slidell, LA 70458
(985) 288-5429 office
(985) 285-1585 cell
jp@ward8jpcourt.com

Vice President Stephen G. Black

Constable, St. Charles Parish
162 Oak Manor Lane
St. Rose, LA 70087
(504) 467-8075
constableblack@netscape.net

Secretary - Seat Vacant

Treasurer James E. LeBlanc

Constable, Ascension Parish
12487 Agnes Marie Road
St. Amant, LA 70774
(225) 445-5766 - cell #1
(225) 717-5436 - cell #2
james.Leblanc@honeywell.com
jamesleblanc@eatel.net

District 1 Melanie Smith Jordan

JOP, Bienville Parish
4281 Highway 507
Jamestown, LA 71045
(318) 544-2543 office
(318) 268-0209 cell
melanie.s.jordan@yahoo.com

District 2 Stuart Parker

JOP, Ouachita Parish
100 Camelot Place
Monroe, LA 71203
(318) 503-1550
judgeparker1@yahoo.com

District 3 Gloria McPhearson

JOP Desoto Parish
1801 Hwy 171
Stonewall, LA 71708
(318) 560-4815
gimcphearson@aol.com

District 4 Susan Rabb

Constable, Concordia Parish
107 Lee Avenue
Vidalia, LA 71373
(318) 481-5632 office
(318) 336-5988 cell
smrabb@bellsouth.net

District 5 Marsha Marcantel

JOP, Rapides Parish
3530 England Drive
Alexandria, LA 71303
(318) 623-1743
marsha.marcantel@outlook.com

District 6 John C. Hebert

JOP, Ascension Parish
44073 Gold Place Road
St. Amant, LA 70774
(225) 287-8048
johnchebert@hotmail.com District

7 Floyd Trascher

Constable, St. Tammany Parish
64511 Church Street
Pearl River, LA 70452
(985) 863-5257 office
(985) 640-1931 cell
floydtrascher@att.net

District 8 Barbara Broussard

JOP, Lafayette Parish
120 Hulin Road
Broussard, LA 70518
(337) 278-4302
bbroussardjp@yahoo.com

District 9 Donna Booty

JOP, Assumption Parish
239 Rue De Beauville
Napoleonville, LA 70390
(985) 369-2509 office
(985) 513-1344 cell
dbootyjp@aol.com

District 10 Mary Walker

JOP, St. James Parish
277 N. Magnolia Street
Gramercy, LA 70052
(225) 610-3169
jpwalker1@att.net



On behalf of the entire Louisiana Justices of the Peace and Constables Association Board we wish to congratulate those officials winning re-election. Those officials less fortunate with their results we wish to thank you for your service to the state, your constituents and your elected office. Very few can say they had the honor and privilege to serve as an elected official. We also thank those officials that have appreciated and supported our association with their membership. Those returning we ask for your continued support and participation. Those officials not returning we wish you all the best with your future endeavors!

IT ONLY TAKES ONE... THERE IS NO SECOND CHANCE

By: Louisiana Attorney General Jeff Landry

The start of a new school year brings many emotions to parents including excitement and optimism. We hope for new growth and educational achievement. This year, no doubt, some may be experiencing anxiety about the pandemic or fear of the unknown.

As colleges across Louisiana begin welcoming students back, parents should also be aware of a hidden danger lingering on campus – counterfeit drugs.

While most recognize that college can be a delicate balance between studying and having fun, many do not know that trying to juggle these often-conflicting priorities has led to campuses becoming a hotbed for the abuse and misuse of prescription drugs.

Whether students are taking pills to study, to party, or to handle the stress of balancing their busy schedules – too many trust their peers to supply them with medicine they believe is harmless. Ask nearly any student and he or she will tell you these drugs are often discussed and promoted on the Internet.

While your children may believe they are getting medicine to help them calm down or focus, they really are just playing a high stakes game of Russian Roulette.

Across our Nation, and even right here in our State, more and more dangerous counterfeit drugs are being produced and distributed. Creating these counterfeit drugs is all too easy for those looking to make a perilous, quick buck. A couple clicks online can get all the supplies needed – a pill press, molds, and filler materials.

Many of these counterfeit drugs are laced with fentanyl, a synthetic opioid that is 100 times more potent than morphine and 50 times more potent than heroin. Dealers often chose to mix their drugs with fentanyl in order to cut costs, but doses as small as 2 milligrams – about the size of the year



inscribed on a penny – can be fatal to most people. Other dealers will mix in baby powder, meat tenderizer, or even cleaning supplies – all of which can have dangerous and even fatal results for the person who ends up taking the pill.

Fraudulent online “pharmacies” are another way your children may be sold counterfeit drugs. These online pill mills may look reputable and safe, but studies show that as many as 50% of

drugs available online are counterfeits. Buying medicine from one of these sham pharmacies can be dangerous at best and deadly at worst.

This hidden danger can affect anyone, even your children’s favorite musicians and athletes. Rapper Mac Miller and professional baseball player Tyler Skaggs recently died from counterfeit-related overdoses, and pop star Demi Lovato barely survived an overdose after reportedly taking fentanyl-laced drugs.

In our State, the lives of precious young people have likewise been tragically snuffed out due to counterfeit drugs – leaving countless family members, friends, and classmates grieving.

So, how can you tell the difference between a legitimate prescription pill and a dangerous counterfeit? You can’t. Oftentimes, even trained pharmacists and chemists are unable to do so without testing. This is something we cannot expect our children to do.

Therefore, we must talk to our children about the dangers of counterfeit drugs. Remind them that prescription medicine should only be used under a doctor’s care, with a doctor’s prescription, and filled by a legitimate pharmacy. If you need more information to help with this important conversation, visit www.EndTheEpidemicLA.org.

Too many of our young people have died from taking a counterfeit pill purchased online. It only takes one... there is no second chance!

JOIN US!

LOUISIANA JUSTICES OF THE PEACE AND CONSTABLES ASSOCIATION



A Message from the Membership Chairman James LeBlanc

The Justice of the Peace & Constable's Association is that one VOICE for every Justice of the Peace & Constable in the State of Louisiana. When you as a JP or Constable need that voice in the Louisiana Legislature, our Association provides that voice. This Association has direct contact with the Louisiana Attorney General's Office and the Supreme Court when important information is needed for our local court systems.

During my many years on this board, I have witnessed first-hand all the ways in which our Association positively impacts the JP's & Constable's of our State. I've seen this diverse group of concerned individuals come together with some of our best and brightest state leaders and elected officials in order to bring professionalism to our local court systems. In doing so, we don't just take care of our own, we cross parish lines to help all our Louisiana Justice of the Peace & Constable's. This is truly "loving thy neighbor" and that is what the Louisiana Justice of the Peace & Constable's Association is all about.

I strongly urge all JP's & Constables to be more actively involved in our Association. The need for your input and your involvement only makes us better & stronger. A number of JP's & Constables benefit from our services, but there is always more we can do to help as an Association and that's where we need you. If you have a passion in your heart to make all of us better, than please consider joining the Louisiana Justice of the Peace & Constable's Association, the rewards weigh out the cost of the dues.

Best Regards,
Constable James E. LeBlanc
Ascension Parish

2021 Membership Application Louisiana Justices of the Peace and Constables Association

NAME: _____

ADDRESS: _____

CITY: _____ LOUISIANA ZIP CODE: _____

PARISH: _____ JP OR CONSTABLE: _____

WARD/DISTRICT: _____ EMAIL: _____

OFFICE PHONE: _____ CELL PHONE: _____

JP ASSOCIATION DISTRICT #: _____

RETURN BY MAIL TO: **12487 AGNES MARIE ROAD, ST. AMANT, LA 70774**

MAKE CHECKS PAYABLE TO: LA JP&C ASSOCIATION (DUES \$30 PER YEAR)

PROUD TO BE AN AMERICAN



50TH ANNUAL LOUISIANA ATTORNEY GENERAL'S JUSTICE OF THE PEACE & CONSTABLE TRAINING CONFERENCE IN MARKSVILLE FEBRUARY 4TH - 7TH 2020

PHOTO GALLERY & AWARDS PRESENTATION

*Outstanding
Constable of the Year
2020*

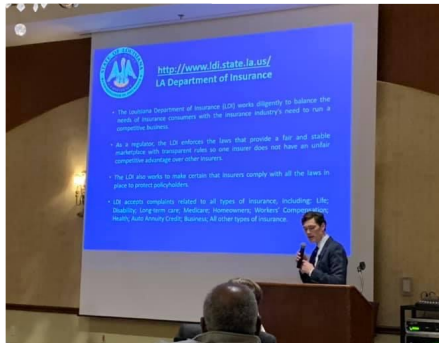


Attorney General Jeff Landry presents the 2020 Outstanding Constable of the Year award to Orgy Broussard, who serves Calcasieu Parish, Ward 8.

*Outstanding
Justice of the Peace
2020*



Attorney General Jeff Landry presents the 2020 Outstanding Justice of the Peace Award to Ellis Peyton, who serves St. Landry Parish, District 10.





LJPCA
LEGISLATIVE CONSULTANT
CINDY BISHOP

2020 has been a busy year for the Louisiana Justices of Peace and Constables Association. The Corona virus Pandemic has presented a number of challenges to us this year. As you will recall Governor John Bel Edwards declared the Pandemic in mid-March. The Louisiana Legislature returned to the 2020 Regular Session of the Louisiana Legislature in the beginning of May and the new norm for the session was having our temperatures taken when we arrived at the State Capitol, social distancing in the House and Senate Committee rooms, sitting in the balcony in the House and Senate chambers and avoiding face-to-face contact with state lawmakers during the regular session and the special session.

Despite all of these challenges, LAJPCA was successful in repealing the 70 year old retirement age for JPs and Constables. Freshman legislator Representative Kyle Green of Marrero did an excellent job sheparding the bill through the Louisiana Legislature, on our behalf. State Senator Gary Smith In handled the bill on the Senate floor. There were no dissenting votes. The bill was signed into law by the governor and became effective on June 4, 2020.

If you have any questions, please feel free to contact me at 225-933-5435 or by email at cindy.bishop@checkmate-strategies.com

It is an honor and a pleasure to represent the Louisiana Justices of the Peace and Constables Association!

BOOTS ON THE GROUND AT THE STATE CAPITOL HANDLING LJPCA BUSINESS



Representative Kyle Green with the team.



Senator Gary Smith
Handling House Bill 144.



House Bill 144 Age 70 Mandatory Retirement
Elimination Team.



Judge Kevin Centanni and Vice President Constable Stephen Black present a Certificate of Appreciation to Representative Joe Stagni for successfully sheparding House Bill 173 through the legislative process. This new law authorizes a Justice of the Peace to appoint another JP in the same parish while on allowed personal leave.



Constable Gordon Hutchinson and Justices of the Peace Kevin Centanni and Barbara Broussard pose with State Representative Bryan Fontenot. Fontenot represents House District 55 covering Thibodaux, Kraemer and Choctaw. Former to becoming a state lawmakers, he served as a Justice of the Peace.



Justices of the Peace Larry Spencer and Kevin Centanni and Constable State Representative Gordon Hutchinson pose with State Representative Kyle Green outside the Senate Committee room following the hearing on House Bill 144.

The Centers for Disease Control and Prevention (CDC) has issued and published an Agency Order entitled “Temporary Halt in Residential Evictions to Prevent the Further Spread of COVID-19.”

The Order prohibits all landlords from evicting certain qualified renters from residential property effective September 4, 2020 through December 31, 2020.

This Order is only a temporary moratorium and renters are still required to pay rent and follow all other terms of their lease. Qualified renters may still be evicted for reasons other than not paying rent. Individuals who violate this Order may be subject to criminal penalties.

Below is a link to the CDC Order that was published in the Federal Register.

Additionally, below is a link to the FAQ’s from the U.S. House Committee on Financial Services regarding the Agency Order.

Lastly, below is a link to the official Declaration Statement. The tenant is required to execute this Declaration Statement in order to qualify for eviction protection.

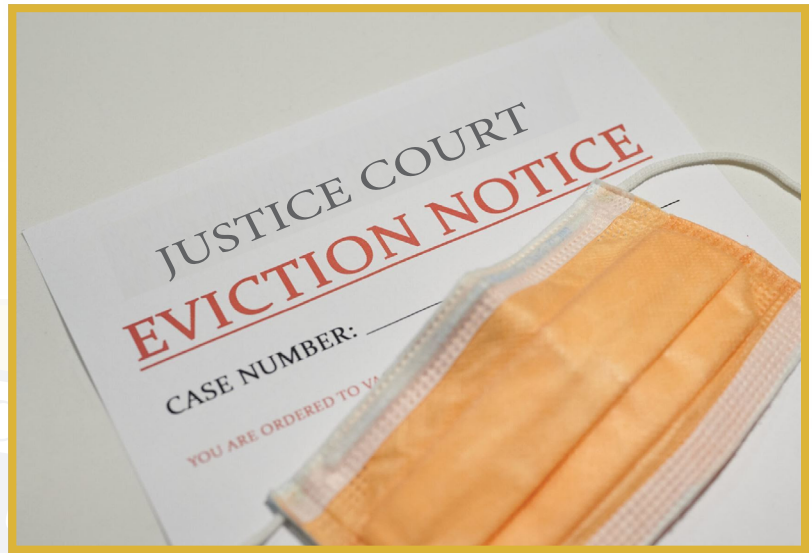
“The Order was issued pursuant to 42 CFR § 70.2, which gives the CDC director authority to impose measures to prevent the spread of communicable disease “as he [or] she deems necessary.” The provision specifically refers to filling the gaps left by “inadequate” state-imposed public health measures and does not directly mention financial aid or overriding contracts between citizens. Questions about the legality of this Order are likely to be raised in legal challenges.”

Below are important links to information applicable to aid in complying with administration to justice in accordance with the CDC Order and established health guidelines.

CDC Eviction Declaration is available Online at [federalregister.gov/d/2020-19654](https://www.federalregister.gov/d/2020-19654), and on [govinfo.gov](https://www.govinfo.gov)

CDC Eviction Frequently Asked Questions is available Online at [cdc.gov/coronavirus/2019-ncov/downloads/eviction-moratoria-order-faqs.pdf](https://www.cdc.gov/coronavirus/2019-ncov/downloads/eviction-moratoria-order-faqs.pdf)

Photo Credit: Getty Images



At this time, in-person training courses/seminars/conferences for next year have not been scheduled due to the Covid-19 pandemic. However, we are in the process of developing several online training courses. More information about these courses will be available in the coming months. Since it seems unlikely that we will be able to conduct large meetings within the next several months, we will be adjusting our training policy to reflect the additional training opportunities we intend to offer. We will update everyone as soon as the details are finalized. We appreciate your patience and fluidity as we navigate these uncharted waters.

As of late July, the Justice Court Training Staff (Erin Day, Justin Lester, and Natalie Bourgeois) is still working remotely at least 50% of the week. We will try to respond to your inquiries as quick as we can, but please expect some delays. If possible, please state your question and whether or not it is time sensitive (need an answer in 24 hours or less) in your messages to us. Email is the best way to reach us. Please also be aware that we will be mainly utilizing email to disseminate important information and updates for the foreseeable future. If you do not have an email address on file with us, please email us at jpc@ag.louisiana.gov to be added.



Natalie Manda Bourgeois

Training Specialist, Administrative Services Division

Office of Attorney General Jeff Landry

Phone: (225) 326-6724 Fax: (225) 326-6793

www.AGJeffLandry.com

Additional Resources And Publications Included In The Following Pages:

Guidance To Reopening Justice Of The Peace Courts	pg. 11-12
Guidance For Constables On Reopening	pg. 13
ADA Title II Accommodations For Courts Guidance	pg. 14
ADA Accommodations Request Instructions and Form	pg. 15-16

GUIDANCE TO REOPENING JUSTICE OF THE PEACE COURTS

During the governor's stay at home order, justice of the peace courts were unable to conduct business as usual. You may experience an influx of cases as you begin resuming service of process. This document is meant to be a guide to assist you in developing a plan to return to full capacity while continuing to mitigate risk to protect yourself and the public. It is not meant to be an exhaustive list. Additionally, as we enter new phases of opening up Louisiana, your plan may need to change. It is important to maintain flexibility. Every JP court is different. Every JP court has different resources and your facilities vary. You are in the best position to balance the public-health risks in your communities related to COVID-19, while fulfilling your duties as a justice of the peace or constable.

Finally, this is meant to be a guide only. You are also encouraged to consult other available resources on this matter, including the CDC's website <https://www.cdc.gov/coronavirus/2019-nCoV/index.html> and the National Center for State Court's website on COVID-19, which can be found at <https://www.ncsc.org/pandemic>.

Reopening of Offices/Court:

- Take precautions to ensure you do not expose others if there is a likelihood that you may have COVID-19.
 - Require social distancing.
 - Wear personal protective equipment ("PPE") whenever possible.
 - Install protective plexiglass or partitions in your reception area or near the judge's bench.
- Take reasonable measures to prevent court proceeding participants and other members of the public from being exposed to the COVID-19.
 - Post clear and consistent signage on doors and within your office directing those experiencing symptoms to avoid public areas and to self-isolate at home in accordance with CDC guidance. See the following website for examples of signs available for print: <https://www.cdc.gov/coronavirus/2019-ncov/communication/print-resources.html?Sort=Date%3A%3Adesc>
 - Inquire as to whether individuals entering the courthouse are experiencing COVID-19 or flu-like symptoms.
 - Determine process if a person fails to pass screening
 - Individuals feeling feverish or with measured temps equal or greater than 100 or with new or worsening signs or symptoms of COVID-19 such as cough, shortness of breath or difficulty breathing, chills, repeated shaking w/ chills, muscle pain, headache, sore throat, loss of taste/smell, diarrhea, or having known close contact w/ a person who is confirmed to have COVID-19 must not be permitted entry
 - Have notices for preset dates ready for those turned away to return
 - Discuss and prepare enforcement protocols with constable
- Determine the standard for use of protective gear
 - Mandatory/optional
 - Court provided/court users to bring their own
- Reduce or eliminate carry-in items
- Minimize number of people in one room at one time
- Encourage appointments to minimize walk-ins
- Determine maximum number of court users allowed at one time
- Consider a separate space for users to wait to be called and still be compliant with social distancing

GUIDANCE TO REOPENING JUSTICE OF THE PEACE COURTS *cont.*

Docket Management and Scheduling

- You should schedule hearings allowing for reduced number of people to enter or congregate in the building at one time.
- Determine how to prioritize court matters. For instance, cases that were automatically continued b/c of COVID-19 orders may need to be set for trial first.
- Stagger cases to minimize courtroom traffic

Sanitation and Disinfection of Common and High-Traffic Areas

- Create and schedule regular cleaning procedures, including in between hearings or persons filing pleadings with the court
- Consider having hand sanitizer dispensers available at various locations around the office, including entry/exits
- Ensure tissues are available for public use
- Post visible signage reminding individuals of best hygiene protocols
- Follow recommend cleaning guidelines. For instance, the CDC has posted cleaning and disinfecting guidelines, which are available here, <https://www.cdc.gov/coronavirus/2019-ncov/community/disinfecting-building-facility.html>

Vulnerable Populations

- Keep in mind that those over 65 and individuals with serious underlying health conditions, such as high blood pressure, chronic lung disease, diabetes, obesity, asthma, and those whose immune systems are compromised, such as by chemotherapy for cancer or other conditions requiring such therapy, are considered vulnerable populations.

Self-Represented Litigants (SRLs)

- Provide clear guidance to SRLs on how to reset cases
- Provide clear guidance on court protocols with limited legal jargon

GUIDANCE FOR CONSTABLES ON REOPENING

During the governor's stay at home order, justice of the peace courts were unable to conduct business as usual. While no two courts are the same, your court may experience an influx of filings, resulting in an influx of service of process that must be made. Constables, like all law enforcement officers, can potentially be exposed to infectious diseases, including COVID-19, while performing their duties. It is important consistently practice safety measures to protect yourself and the public from unnecessary exposure to COVID-19.

This document is meant to be a guide to assist you in developing a plan to return to full capacity while continuing to mitigate risk to protect yourself and the public. It is not meant to be an exhaustive list. Additionally, as we enter new phases of opening up Louisiana, your plan may need to change. It is important to maintain flexibility. Every JP court is different. You are in the best position to balance the public-health risks in your communities related to COVID-19, while fulfilling your duties as a constable. Finally, you should keep in contact with the justice of the peace to determine any temporary policies that the court may have in place related to COVID-19.

Protect Yourself from Exposure

- Maintain a distance of six feet from other people whenever possible.
- Practice proper hand hygiene.
 - Soap and water are preferable, but if they are not readily available use an alcohol-based hand sanitizer with at least 60% alcohol.
 - Wear disposable gloves.
- Do not touch your face with unwashed hands.
- Wear wraparound sunglasses during the day and clear protective eyewear at night.
- Clean and disinfect your any of your gear prior to reuse. For cleaning surfaces, whether it's your car, your desk, or other equipment, use disinfectant wipes. This includes your phone, which you are likely constantly touching. Make sure to follow the instructions on the label as some may tell you to keep the surface wet for a certain amount of time.
- Follow standard operating procedures to contain and dispose any disposable PPE.
- Wash clothing in hot water with detergent.

Protect Others from Exposure

- Make sure those you encounter know you respect their health and safety.
- Knock, then retreat a minimum of six feet from the doorway. If six feet is not possible, retreat the maximum distance possible under the circumstances.
- Conduct identification at a distance, requesting confirmation of residency and confirm identity as normal.
- When appropriate, place the documents on the ground near the defendant or in a place the defendant is able to retrieve them, identifying them as legal documents. Step back at least six feet allow the subject to retrieve the sealed documents in view. Remain present until they can visually confirm the documents have been retrieved.
- Document everything!

ADA TITLE II ACCOMMODATIONS FOR COURTS GUIDANCE

REQUEST FOR ADA TITLE II ACCOMMODATIONS BY COURT USERS

Title II of the Americans with Disabilities Act prohibits discrimination on the basis of disability in state and local government services. This includes participation in court proceedings. It is the intent of all justice of the peace courts in Louisiana to facilitate provisions for reasonable accommodations when requested by qualified persons with disabilities. If you have a disability that may restrict your ability to meaningfully participate in court proceedings, programs, activities, or services, the court will provide you with reasonable and appropriate accommodations at no cost to you.

The following applies to ADA Title II Accommodation Request in Justice of the Peace Court:

1. Court users requiring accommodations should complete the accommodation request form and send it to [identify applicable court information]. For additional information, you may contact the court at [insert phone number], through email at [provide email address], or via fax at [insert fax number].
2. Requests for accommodations must be made as far in advance as possible, but at least 7 days before your scheduled court appearance or immediately upon receiving notification if the time before the scheduled appearance is less than 7 days.
3. All accommodation requests must include an explanation of the nature of your disability and suggest an auxiliary aid or service that will enable you to effectively participate in the court program or service. If you have a disability that is not obvious, or when it is not readily apparent how a requested accommodation relates to your impairment, it may be necessary for the court to require documentation from a qualified health care provider in order for the court to fully and fairly evaluate the accommodation request. These information requests will be limited to documentation that (a) establishes the existence of a disability; (b) identifies your functional limitations; and (c) describes how the requested accommodation addresses those limitations. Any cost to obtain such documentation is the obligation of the person requesting the accommodation.
4. The court will evaluate the requested accommodation. It may grant the request or it may offer a suitable and effective alternative in the event that the original accommodation requested is not feasible. Also, the court may deny your request if the request is for a personal or individually prescribed device (such as hearing aids or a wheelchair), or if the modification will fundamentally alter the nature of the service, program, or activity of the court, or if it would pose an undue administrative or financial burden to provide the accommodation (if the proposed accommodation is so expensive or time-consuming as to be unreasonable). The court may also deny your request if it finds it would be inappropriate in the course of the litigation.

ADA ACCOMMODATIONS REQUEST INSTRUCTIONS AND FORM

IMPORTANT SAFETY AND ACCESSIBILITY INFORMATION FOR INDIVIDUALS SUMMONED TO JUSTICE OF THE PEACE COURT

Due to the COVID-19 pandemic, all individuals coming to court will be required to wear a mask or other face covering in line with guidance from the Centers for Disease Control and Prevention (CDC). If you do not have a face covering and have no way of obtaining one, you will be provided with a mask at court.

SPECIAL INSTRUCTIONS FOR VULNERABLE POPULATIONS AND THOSE WITH SYMPTOMS OF COVID-19

WHAT SHOULD I DO IF I AM EXPERIENCING COVID-19 SYMPTOMS OR AM UNDER QUARANTINE AND HAVE BEEN SUMMONED TO COURT?

Individuals who have experienced any of the following symptoms within the last two weeks should not physically come to court and instead should call the following number (____) - _____ - _____ to discuss what accommodations can be made:

- feverish or with measured temps equal or greater than 100;
- cough, shortness of breath or difficulty breathing, chills;
- repeated shaking w/ chills;
- muscle pain;
- Headache;
- sore throat;
- loss of taste/smell;
- Diarrhea; and/or
- having known close contact w/ a person who is confirmed to have COVID-19.

In addition, individuals currently under quarantine due to exposure to COVID-19 or who have tested positive for COVID-19 within the last two weeks should not come to court, but rather call the above number to discuss what accommodations can be made.

WHAT SHOULD I DO IF I AM IN A VULNERABLE POPULATION BUT I AM NOT EXPERIENCING COVID-19 SYMPTOMS?

You do not have to risk your life to defend your eviction. If you have any of the following conditions listed below or any other conditions that increase the risk of severe illness or death from COVID-19, you may be entitled to protections under the Americans with Disabilities Act (ADA). Please call court at the number listed above and be prepared to discuss what steps the Court can take to make sure that you have your day in court. You may also choose to fill out the form at the bottom of this notice and send it to the Court. This is a process called "requesting a reasonable accommodation." Reasonable accommodations can also be requested for other types of disabilities not related to COVID-19.

Some examples of accommodations that you may be eligible for include: pushing back your court date by requesting a continuance, having your hearing over video, or in some parishes you may even be able to request a hearing in an outdoor location that allows all parties to maintain safe distancing practices. If the

ADA ACCOMMODATIONS REQUEST INSTRUCTIONS AND FORM *cont.*

Court refuses your specific request they still have a responsibility to try to find a solution that works for everyone.

Here are some of the health conditions that may qualify you for an accommodation:

- Asthma
- Chronic kidney disease being treated with dialysis
- Chronic lung disease
- Diabetes
- High blood pressure
- Compromised immune system due to immune disorder or due to a condition or treatment that weakens the immune system (ex: chemotherapy for cancer)
- Liver disease
- Serious heart conditions
- Severe obesity
- Age 65 years or older

If you do have one of these conditions you may still choose to come into court in person as long as you do not have any COVID-19 symptoms.

REASONABLE ACCOMMODATION REQUEST FORM

Information provided in the following form shall be kept as confidential as is possible under the law. This form is optional, and your request for accommodation does not need to be in writing. However it is good to have a record of your request. Call the court at the number listed above with any questions or to request an accommodation over the phone. **Take a picture or keep a copy of this form for your records.**

Person making the request: _____

Case number: _____ Date this form submitted: _____

What are your health conditions that make you need an accommodation (please include the names of any diagnoses)?

What accommodation(s) are you requesting? _____

How will this accommodation help you safely defend your eviction? _____

What is a phone number where we can reach you at? _____