

**STATE OF CONNECTICUT
APPELLATE COURT**

A.C. 36368

HENRY J. MARTOCCHIO

APPELLANT

V.

STEPHANIE SAVOIR, ET AL

APPELLEE

April 10, 2015

APPELLANT MOTION FOR RECONSIDERATION "EN BANC"

CHIEF CLERK
SUPERIOR COURT
APPELLATE DIVISION
2015 APR 10 PM 12:18
HARTFORD, CT 06106

TO BE ARGUED BY:

FOR -APPELLANT

HENRY J. MARTOCCHIO

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**THE HONORABLE HOLLY A. ABERY-WETSTONE & J. SHLUGER SUPERIOR
COURT JUDGE SUPERIOR COURT, TOLLAND JUDICIAL DISTRICT, AT
ROCKVILLE
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2015 APR 10 A 10:23
SUPERIOR COURT
TOLLAND
JUDICIAL DISTRICT

Stay on CERTIFICATION Supreme Court

The Appellant Henry J. Martocchio the in pursuant to 71-5 This Motion for reconsideration "En Banc" is sought for reasons below:

Brief History

See facts of all Cases of Martocchio v. Savoie Et Al. Briefs and Cases in Appealed to this Good Court of Appeals and all Motion filed in Fa 06-4006261s and need not be repeated as all have and I am including for review the last Judicial (Americans with Disabilities Act(ADA)) **ADA Administration Request/ACTION OF Relief the this court of Appeals did not Answered as it is a 14th Due-process Right** that this Appellate Court does not want to have in their courts after 2003 Federal Settlement Agreement to have and put in place and was reinforced in 2007 by Raymond v. Roland No. 3:03CV0118 Settlement Agreement .

This is an ADA Request/ACTION OF Relief for cases In re Nathan R. M. H12-cp11-014212-a, Martocchio V. Savoie Et Al. FA 06-4006261, A. C. 31363, AC 33597, A.C. 35741,AC 36368, SC 110192, and all past Tolland Probate and the Greater Windsor Probate matters and all services of state vendor (GALS) and State Conn. Judicial Services to the public. **See Exhibit 1-38 as the ADA Record that can not be Mooted!**

Fit father is asking for all of 14th due-process Rights of Remedy Past; Eliminations Current; and Prohibit Future Discriminations, humiliations, ridicules', bullying, and violations of State Laws by State Actors and Players and of All Conn. Bar Members Frauds on to us.

PGA Tour, Inc. v. Martin, 532 U.S. 661, 675 (2001) ("In the ADA, Congress provided [a] broad mandate. See 42 U.S.C. § 12101(b). In fact, one of the Act's 'most impressive strengths' has been identified as its comprehensive character, . . . and accordingly the Act has been described as 'a milestone on the path to a more decent, tolerant, progressive society[.]' To effectuate its

sweeping purpose, the ADA forbids discrimination against disabled individuals in major areas of public life”) (citations omitted).

Specific Facts

I

The plaintiff, Henry J. Martocchio, appeals from the judgment of the Appellate trial court For Not remanding of matters back to lower court with instruction of ADA Remedies. On August 23, 2006 the Equal Protection Clause mandates the turning over of child to fit father after **frauds by all** and Tolland probate court under Troxel holds the obligation to fix all past discrimination on to and equal and the same as you the readers parents' rights. On appeal, the plaintiff claims, inter alia, that the Appellate Court did properly concluded that he was in not Never in past Contempt of a previous court order and the Appellate Court failed to address All Errors, on to with all Frauds, all Civil Rights Violation on to Fit Fathers' Rights and Child's Rights for Equal Protections under the ADA LAWS and Parents Rights to have the Right Services from State Actors and Players and DCF Services and DSS Services And Attorneys be held Countable for the Frauds on to and within the meaning of their Sworn Obligations under the laws of this land and the Services of Tolland Probate Courts Frauds on to child and fit father Over turn. The Appellate Court failed to understand their ADA Obligations that can never be MOOTED By any judges going against Congress wills. No Judge is above the ADA LAWS TO ENSURE THIS DUEPROCESS RIGHT!.

Under the ADA, public agencies must ensure even-handed treatment and equal opportunity. To provide such equality, the ADA requires government agencies to take disability into account by making reasonable modifications of their policies and practices where needed. 42 U.S.C. § 12132, 28 C.F.R. § 35.130(b)(7) (2014). As Justice Ginsburg wrote in her concurring opinion in **Tennessee v. Lane**:

“Including individuals with disabilities among people who count in composing ‘We the People,’ Congress understood . . . would sometimes require not blindfolded equality, but responsiveness to difference; not indifference, but accommodation.” **Lane 541 U.S. 509, 536 (2004)**. The regulations and guidance of the U.S. Department of Justice confirm that the requirement that practices be modified to take disability into account applies to arrest and detention. See supra note 5.

AMERICANS WITH DISABILITIES ACT (ADA)¹ AND OTHER DISABILITY ACTS AND CASES. The State of Connecticut is in non-compliance with the ADA.

WE THE PEOPLE have no burden to bear or forfeiture of full protection, privileges’, rights, coverage of the ADA and other disability Acts, Rights, and cases for a failure to Raise, Request, make known his or her Disability, Participate, or Utilize Services of the Courts. PUBLIC ENTITIES (INCLUDING COURTS) have Full Burden to Removal ALL Barriers to WE THE PEOPLE’S access to all public facilities, programs, policies, benefits, activities, rules, practices. WE THE PEOPLE do not have to ask for ADA rights, protections, and privileges’. PUBLIC ENTITIES, ESPECIALLY COURTS HAVE THE SOLE AFFIRMATIVE RESPONSIBILITY AND BURDEN TO IDENTIFY DISABILITIES, IDENTIFY QUALIFIED INDIVIDUALS WITH A DISABILITY AND OFFER MODIFICATIONS AND OR ACCOMMODATIONS THAT WE THE PEOPLE AND QUALIFIED INDIVIDUALS WITH DISABILITIES HAVE A RIGHT TO REFUSE. PUBLIC ENTITIES (INCLUDING COURTS) must make everything they do and provide for any one individual available to every individual equal and the same. As applied to

¹ Plaintiff makes inclusive reference to the long list of Disability Acts, Rights and Cases as needed when ADA is applied thru out this Motion and Appeal, including but not at all limiting to, Rehabilitation Act of 1973 section 504; The Americans with Disabilities Amendments Act of 2008, Individuals with Disabilities Education Act, Developmental Disabilities Act and Bill of Rights of 2000.

ALL State of Connecticut Judicial Branch cases, the Judicial Branch may not deny, compel, make, or enforce forfeiture of individual rights, protections and privileges provided by Congress of The United States of America; The President of the United States of America, and concluded and interpreted by the Supreme Court of The United States of America, in the various disability Acts, and cases including the ADA.

A bifurcation between Roth v. Weston and this case See RICHARD S. DENARDO JR. v. JANET BERGAMO, (SC 17200) Borden, Norcott, Katz, Palmer and Zarella, Js. Argued October 18, 2004—officially released January 18, 2005

The ADA is a broadly worded non-discrimination statute. See **PGA Tour, Inc. v. Martin**, 532 U.S. 661, 675 (2001) (“[o]ne of the Act’s most impressive strengths has been identified as its comprehensive character” making it “a milestone on the path to a more decent, tolerant, progressive society”) (internal quotation marks omitted). Title II of the Act, which covers public services, provides that “no 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.” 42 U.S.C. § 12132. “Discrimination includes a failure to reasonably accommodate a person’s disability.” Binding regulations adopted by the Department of Justice broadly require that “[a] public entity shall make reasonable modifications in policies, practices, or procedures when the modifications are necessary to avoid discrimination on the basis of disability,” unless such modifications would fundamentally change the government activity. 28 C.F.R. § 35.130(b)(7); cf. 42 U.S.C. § 12182(b)(2)(A)(ii) (defining discrimination for purposes of Title III of the ADA to include the “failure to make reasonable modifications”).

Bringing an individual into custody constitutes a “service[], program[], or activit[y] of a public entity.” 42 U.S.C. § 12132; see also *United States v. Georgia*, 546

U.S. 151, 154 (2006) (“public entity” includes “any State or local government” and “any department, agency, . . . or other instrumentality of a State”) (quoting 42 U.S.C. § 12131(1)) (alteration in original).

The obligations of all Attorneys to protect all God given Civil Rights for “Representation” of those rights in full. Appellant argues Attorneys **when Hired** hold the Obligations to Appeal And must ensure the laws are meet with being neither a purge, coercion, nor punishment; is a violation of Fundamental Constitutional Liberty Rights of the Fourth Amendment *****secure in his person***** and Fifth Amendment *****not compelled to testify against himself ***liberty***Due Process***Ninth Amendment ***privacy***** and Fourteenth Amendment *****liberty***Due Process***Equal Protection o** Law; similar to loss of freedom by reason of incarceration.

Appellant made an adequate commentary statement to his hearsay arguments.

See Appellant Briefs request for **“EN BANC** “and All Request to Conn Supreme Court In all past A.C.cases # Above and in this case today. Appellant argues against an “extreme and unjust” Actions and attitude toward the care of his son as discriminating By State Actors and Players and Attorney like Miss Paul that are been **“Safe Guarded”** for their Frauds With ADA Remedies for child and fit parent.

Legal Grounds

A

Title II of the ADA provides in part only below, and not limiting as applied to this matter, the **Regulations and Technical Assistance Part 35 Nondiscrimination on the Basis of Disability in State and Local Government Services (as amended by the final rule published on September 15, 2010) Authority: 5 U.S.C. 301; 28 U.S.C. 509, 510 42 U.S.C. 12134. Subpart A—General § 35.101 Purpose.**

The purpose of this part is to effectuate subtitle A of title II of the Americans with Disabilities Act of 1990 (42 U.S. C. 12131), which prohibits discrimination on the basis of disability by public entities.

B

1. That the State of Connecticut Judicial Branch is in non-compliance with Title II of the Americans with Disabilities Act and other Disability Acts, Rights and cases. That compliance is not solely wheel chair ramps; reference to pretty pictures of our Courts posted on the Judicial Branch ADA web page; declaration, reference and holding to past disability discrimination court decisions where the failure of the Judicial Branch to comply with the ADA, failure to perform self-evaluations 28 CFR PART 35.105, failure to provide (effective communications and) notice 28 CFR PART 35.106, failure to provide a Designated Responsible Employee for ADA compliance 28 CFR PART 35.107(a), failure to provide a Written Grievance Policy 28 CFR PART 35.107(b), and failure to prohibit disability discrimination² in everything the Judicial Branch does for We The People: such as Termination of Parental Rights Proceeding is “not a service, program or activity under the ADA”,

(see Barbara McKechnie v. Dennis McKechnie (AC 31498, DiPentima, C. J., and Espinosa and West, Js. July 26, 2011) sighting In re Antony B., 54 Conn. App. 463 472-73, 735 A.2d 893 (1999). Specifically, we reasoned that a termination proceeding is “not a service, program or activity under the ADA.” Internal quotation marks omitted.) In re Antony B., supra, 472. (With footnote))

(See TENNESSEE, PETITIONER v. GEORGE LANE *et al.* No. 02-1667 [May 17, 2004] *Justice Souter*, with whom *Justice Ginsburg* joins, concurring.)

Although I concur in the Court's approach applying the congruence-and-proportionality criteria to Title II of the Americans with Disabilities Act of 1990 as a guarantee of access to courts and related rights, I note that if the Court

² The Americans with Disabilities Act of 1990 (ADA or Act), 42 U. S. C. §§12101-12213, is a measure expected to advance equal-citizenship stature for persons with disabilities.

engaged in a more expansive enquiry as The Chief Justice suggests, post, at 15 (dissenting opinion), the evidence to be considered would underscore the appropriateness of action under §5 to address the situation of disabled individuals before the courts, for that evidence would show that the judiciary itself has endorsed the basis for some of the very discrimination subject to congressional remedy under §5.

And that “the Appellant has Raise Claims to Violations of the Americans with Disabilities Act (ADA) in trial and within this Good Court of Appeals, Today, this good Court has Ignored all “Request Relief” for ADA Protections and Remedies the Past in written decision fail to Address the Outright Discriminations on this Family and matters by State Actors and players” That hold obligation to ensure! As this Civil Right to ensure is needed when a State Services to the Public have been Violated under 14th Due Process Clause for Equal Protections.

(See footnote 2) * Under these circumstances, we decline to review his claim. See Logan v. Logan, 96 Conn. App.842, 845-46, 902 A2d 666 (2006) (declining to review claim that court failed to provide ADA accommodations during contempt hearing when ADA claim was not raised in trial court)., See (Barbara McKechnie v Dennis McKechnie (AC 31498, DiPentima, C. J., and Espinosa and West, Js. July 26, 2011, “Additionally, we note that in Logan v. Logan, 96 Conn. App.842, 845-46 902 A2d 666 (2006), we declined to review a party’s claim raised for the first time on appeal that the trial court improperly failed to provide him with accommodations according to the Americans with Disabilities Act (ADA), 42 U.S.C. Sec 12101 et seq., during court proceedings. Accordingly, we decline to review this claim.**

1. That “We The People” applies to all individuals with or without disabilities; to equal and the same Fundamental Constitutional access to everything the Judicial Branch does including and certainly not limited to; termination proceeding, family proceedings, juvenile proceedings, probate proceedings, criminal proceedings, housing proceedings, business proceedings, governmental proceedings, meetings, juries, visitors, employment, Appellate proceedings Supreme Court proceedings and holy grail Practice Book Application.

See; TENNESSEE, PETITIONER v. GEORGE LANE et al. No. 02-1667 [May 17, 2004] *Justice Ginsburg*, with whom *Justice Souter* and *Justice Breyer* join, concurring.

Including individuals with disabilities among people who count in composing "We the People," Congress understood in shaping the ADA, would sometimes require not blindfolded equality, but responsiveness to difference; not indifference, but accommodation. Central to the Act's primary objective, Congress extended the statute's range to reach all government activities, §12132 (Title II), and required "reasonable modifications to [public actors'] rules, policies or practices," §§12131(2)-12132 (Title II). See also §12112(b)(5) (defining discrimination to include the failure to provide "reasonable accommodations") (Title I); §12182(b)(2)(A)(ii) (requiring "reasonable modifications in [public accommodations'] policies, practices, or procedures") (Title III); Bagenstos, supra, at 435 (ADA supporters sought "to eliminate the practices that combine with physical and mental conditions to create what we call 'disability.' The society-wide universal access rules serve this function on the macro level, and the requirements of individualized accommodation and modification fill in the gaps on the micro level." (Footnote omitted)).

2. That no Judge or other State Actors or State Contractors, without specific education, and training to administer specific testing for purpose of diagnosis of disabilities, can or has power to diagnose disabilities and needed modifications. Opinions of individuals with disabilities; especially hidden disabilities based on observations by untrained and no specific diagnosis are discrimination opinion not based on facts, legal issues, and merit.

3. That when Disability is identified by any individual, State Judicial Actor or State Judicial Contractor; all proceedings must stop until said individual is fully informed of his or her Disability Rights, protections and offers of Modifications to proceedings are offered and either accepted or denied, including any that the individual may request on his or her own, subject to Judicial Branch review for equal provision within Judicial discretion of available aids and modifications.

4. Being that the Judicial Branch of the State of Connecticut was, is and continues to be in non-compliance with the Americans with Disabilities Act, the Appellant has never been offered Notice of his ADA Rights, offers of modifications, identification of disability, including by association, understanding of differences and needs between his child with multiple physical and mental developmental disabilities and children without physical and or mental developmental disabilities; differences between parents care, custody and control of children with multiple physical and mental developmental disabilities and parents of children without physical and or mental developmental disabilities.

5. Whether or not the Appellant made an appeal of earlier Court decisions is not at issue: At issue is the Appellant was never provided Disability Rights as required by Federal Law and as such the Appellant retains **the Absolute Right to remedy past** disability discriminations, eliminate current disability discriminations, and prohibit future disability discrimination. **All Past Contempt's and AC Courts are over turned and this court has obligations to Clear Fit Fathers good name today, Here and Now with no Burdens.**

6. Today the Mothers parents' rights are terminated and the Appeals court has failed to reinforce the fit fathers' rights not only **under Troxel** but as the mother has no rights hence the grandparents have no rights to even think about filing a petition for visitation with N.R.M. More Error of this Appeal Court..(See) ***IN RE KRISTY L., 47 Conn. Sup. 273 (1999)***

The one consideration that might be considered as favoring intervention is the proposed interveners' interest in the controversy. The petitioners argue that they as the paternal grandparents, have a recognized interest in the future living arrangements of their granddaughter or, at the very least, have a recognized interest in maintaining visitation with their granddaughter. The rights of the

biological grandparents were also terminated when parental rights were terminated. See Faust v. Messinger, 345 Pa. Super. 155, 160, 497 A.2d 1351 (1985), (grandmother's right to visitation terminated by adoption of grandchild); see also J. & E. v. M. & F., ...

7. All judgments/Cases under Martocchio V. Savoie in Past Review should be Vacated as the Appellate Court Shows father is and always has been a Fit Parent and this case should Have been Remanded for further proceedings to lower courts by the finds of Troxel and actions of the US Supreme Courts Any Remands should Have to a Criminal Court of law for servicing of punishment on Grandparent And Attorney Paul and All Past Attorneys.

8. **Failed** to even address Frauds on Fit Father by All state players and Actors. **Failed** to address Lies by a Bar member that over 26 times her claim of standing was made and the facts of years of this claim was over looked by Appellate court to Service No Punishment of Attorneys. **Failed** to Understand Parent Rights Not to have Un-due burden's Place on them in hiring a Conn. Bar Member that we the parents have to ensure the Attorneys are practicing the right Laws in our Matters.

Conclusion

Reasons within the Appellants Complaint mentioned above and these reasons within this Motion for reconsideration the Appellant respectfully request the reconsideration of his appeal of En banc to fully end this 8 year old Nightmare and Here, Sate actors and Players are NOT entitled to qualified immunity because respondent has demonstrate that they violated any clearly established Fourth Amendment right of the ADA title II and III and our clams for ADA Remedies do fall under Rehabilitation act of the 504 plan that can not be Mooted.



Henry J. Martocchio, Pro Se 860 432 4567

ORDER

The forgoing motion for reconsideration by the Appellate Court en banc is here by:

GRANTED _____ DENIED _____

Judges _____

Date _____

Certification Pursuant to Practice Book Rule Sec 66-3

I Certify that the foregoing document complies with the provision of Practice Book Rule Sec 66-3 in that the type size is either Arial or Universe, 12 point or larger.



Henry J Martocchio, Pro se

Certification Pursuant to Sec. 62-7

A copy of the forgoing was Hand Delivered or mailed or email on day of stamp/April 10 2015 the APPELLANT MOTION FOR RECONSIDERATION "EN BANC"; to Trial Judge Abery-Wetstone & JUDGE SHLUGER of the Rockville Superior Court in Rockville CT. and all counsel of record as follows:

THE HONORABLE HOLLY A. ABERY-WETSTONE & JUDGE SHLUGER SUPERIOR COURT JUDGE TOLLAND JUDICIAL DISTRICT, 69 BROOKLYN STREET, ROCKVILLE, CT. 06066 (860) 896 4939

Court appointed Appellants Attorney McLaughlin 100 peal street 14th floor Hartford Ct 06103 Robert McLaughlin <rbm.96@hotmail.com>; 860 240- 6186

APPELLEES INTERVENING THIRD PARTY
GRANDPARENTS ROLAND AND TINA SAVOIR
With no standing for petition for visitation

Attorney FOR APPELLEES -Joanne Paul Goodwin & Paul *Verna Zagura*
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Rockville Support Enforcement Services Barbara Dudley (860) 896-2400
Barbara.Dudley@jud.ct.gov Designated Responsible Employee for the ADA for the State of Conn DSS

The record shows other but not so.. The mother rights where terminated in 9/2011 so there is no more 46b-56 with two parents. With no standing for petition for visitation eve filed.



Henry J. Martocchio

813 Graham RD South Windsor Ct 06074 860 432 4567

**STATE OF CONNECTICUT
APPELLATE COURT**

A.C. 36368

HENRY J. MARTOCCHIO

Plaintiff

V.

STEPHANIE SAVOIR, ET AL

Defendant

April 10, 2015

APPELLANT MOTION FOR RECONSIDERATION "EN BANC"

"Exhibit"

TO BE ARGUED BY:

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Support Enforcement
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Judicial Branch Superior Court Operations Division ADA Coordinator
From JD-ES-264 Request for ADA- OBJECTION PROTEST COMPLAINT
and ADA Remedies'

December 30, 2014

Too: Atty. Mark Ciarciello, Employee Accommodations and Public Service and Trust Commission Advisory Board on the Americans with Disabilities Act JUDICIAL BRANCH - STATE Of CONNECTICUT Administrative SERVICES DIVISION 90 Washington Street Hartford, Connecticut 06106 Telephone: (860) 706-5275 Fax: (860) 706-5092
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Judge Carroll III, Patrick L. ADA.Program@jud.ct.gov;

Judge Solomon, Elliot N. EEO.Manager@jud.ct.gov;

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CC too

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This is a Request/ACTION OF Relief of Remedies for cases A.C. 36368, In re Nathan R. M. H12-cp11-014212-a, Martocchio V. Savoie Et Al. FA 06-4006261, A. C. 31363, AC 33597, SC 110192 and all past Tolland probate And the Greater Windsor matters and all services of state vendor and State Services to the public.

ADA OBJECTION PROTEST COMPLAINT

Demands for REMEDIES/on/or

About ADA All ADA Program Manager`s State of Conn Judicial Branch and All State Departments of Conn that Services the Public.

Including but not limiting to the following:

**Violation and non-compliance of Settlement Agreement between the United States Department of Justice and the Connecticut Judicial Branch, November 2003 and; Violations and non-compliance of Settlement Agreement in Raymond v. Rowland Civil Action NO. 3:03CV0118 (MRK) May 31, 2007 (Only 1 Conn. Administration)
All of State Actors & Players and State Contractors whom with invidious animus intent, effect or both of**

Disability Discrimination; Gender Discrimination; Personal Discrimination; Pro Se Discrimination and ongoing violations of Color of Law and Rule of Law; and Mrs.

Rodgers Strategic Plan 2008

Unconstitutional interference, coercion, retaliations, denials of rights, privileges, protections, due process, equal protection of law; as provided by Connecticut Constitution and Laws; United States Constitution and Laws

By enforcement advancement and sometimes blatantly doing nothing which sustains ignorant arrogant Judicial Personal Preferences; Professional Preferences; Abuse of almighty Judicial Discretionary Authority and Power

All of which causing real developmental delays, harms to the minor child with developmental disabilities; and

Perpetuating the shameful history of disability discrimination

This is a complaint of Disability; gender, personal; professional; pro se Discrimination by the State of Connecticut Judicial Branch (Branch) and each of it's entities and the State Actors; Judges and other court personnel, and State Contractors; Attorneys and other persons who are not employed directly by the Branch but who earn their living from the Branch, all experts in the field of LAW in Connecticut, under **Title II of the Americans with Disabilities Act (ADA), 42 U.S.C. §§ 12131-12134**, and the United States Department of Justice implementing regulation, **28 C.F.R. Part 35**. Because the State of Connecticut, the State of Connecticut Judicial Branch and the State of Connecticut's Child Support Enforcement Division all receive financial assistance from the Federal Government, this complaint of Disability Discrimination is under the protection of **Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. §794**, and the United States Department of Justice regulation, **28 C.F.R. Part 42, Subpart G and Individuals with Disabilities Act of 2004**.

The Constitution also protects "the individual interest in avoiding disclosure of personal matters." Federal Courts (and State Courts), **under Griswold** can protect, under the "life, liberty and pursuit of happiness" phrase of the Declaration of Independence, the right of a man to enjoy the mutual care, company, love and affection of his children, and this cannot be taken away from him without due process of law. There is a family right to privacy which the state cannot invade or it becomes actionable for civil rights damages. **Griswold v. Connecticut, 381 US 479, (1965)**.

SCOPE OF THE COMPLAINT (in part and not limited)

COMPLAINT

Appellant/Plaintiff and the Conn. Disable People of United States of America alleges as follows:

1. In **AC 36368** the **Appellate** court booked a hearing on **Jan 6, 2015** for **after 2pm**. In which is at the time that Child is home or on his way. All past court hearing are Not to happen after 2pm..
2. Why is so hard for you **Mark Ciarcello**, to Write on every case in your court with me all accommodations that we are to have...
3. Today that is the only So Call ADA rights this case has.. Not so, order By Judge Frazzini, because he did not want me in trouble for filling my parent Rights/duties of caring for a disabled child. This took place in his court room Not By you or your department but in past matters you have agreed.
4. Again **Mark Ciarcello**, do not find this as a Unburden, just written this Complaint is .. Because you have chosen the path of ADA Civil right Ignorance one day I will have you in federal courts for your crimes on the disabled people of Conn.
5. You're in Ignorance is so bold that you and the state actors and players just out-right denying all request but Fail to Apply the denial to that disabled request.
6. Denial of and we do not have An Path for Administrative Disability Hearing and /or Equal to the Plaintiff will bring this action pursuant to **42 U.S.C. § 405(g)** to obtain judicial review
7. Denial of 28 CFR 35.107 - Designation of responsible employee
 - (a) Designation of responsible employee. A public entity that employs 50 or more persons shall designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities under this part, including any investigation of any complaint communicated to it alleging its noncompliance with this part or alleging any actions that would be prohibited by this part. The public entity shall make available to all interested individuals the name, office address, and telephone number of the employee or employees designated pursuant to this paragraph.
8. Denial of an ADA title II and III adoption of grievance procedures. AS today the only thing you have is a Title I grievance procedures.. We the People use your services reject as we are not employee of the state of Conn. So stop Applying Title I to the public.
9. Denying qualified individuals the opportunity to participate in or benefit from federally funded programs, services, or other benefits.
10. Denying individuals with disabilities an equal opportunity to receive State program benefits and services.
11. Denying access to programs, services, benefits or opportunities to participate as a result of physical barriers.

12. Denying employment opportunities, including hiring, promotion, training, and fringe benefits, for which they are otherwise entitled or qualified....
13. Denying the disable State of Conn. ADA Administrative Procedures for the enforcement of ADA title II and title III.
14. Denying Path for internal or external ADA Administrative hearings.
15. Denying the disable State of Conn. Policies, Procedures, grievances' and Notice of Safe Guards for the ADA of title II and title III.
16. Denying of compliance reviews of public entities under title II and title III of the ADA.
17. Denying the Civil Rights of the disable to have Association Rights with Persons with Out an Disabilities
18. Over All Denying the disabled rights for and to have modification without Applying the Denial to that persons Disability requesting.
19. Failure to develop a list of modification for a disable to review and can "pick" what "best ensures" modification will work "Best" for their "Needs" to ensure effective communication with all.
20. Failure to put in place a path for the disabled to refuses your modifications and allowing the disabled to show or get a better medication that works Best for their Disability's.
21. Willingly Excluding disabled by the effect/No effect of not recognizing the disabled needs or because of their known relationship or association with other persons.
22. No promoting of the overall effectiveness of its Enforcement Program.
23. No Fourteenth Amendment Civil Rights in Case of the disable in Sate of Conn Courts.
24. Failure to comply with the nondiscrimination Requirements.
25. Failure to create a Non-Discrimination Policy Statement for services of the judicial branch (State Actors)
26. Failure to create a Non-Discrimination Policy Statement for your Vendors (state players)

27. Failure to provide clear, strong, consistent, enforceable standards addressing discrimination against individuals with disabilities; By state actor or Players

28. Failure to make the authority to conduct compliance reviews consistent with that available under section 504 and title VI. See, e.g., 28 CFR 42.107(a).

29. Failure of 28 CFR 42.107 "(b) The designated agency may conduct compliance reviews of public entities in order to ascertain whether there has been a failure to comply with the nondiscrimination requirements of this part."

30. Failure to providing services to qualified individuals with disabilities in community-based settings, as long as such services are appropriate to the needs of those individuals. These agencies should provide technical guidance and work cooperatively with States to achieve the goals of Title II of the ADA [42 U.S.C. 12131 et seq.]

31. Failure to comply with the ADA's integration requirement, a state must reasonably modify its policies, procedures, or practices when necessary to avoid discrimination. 28 C.F.R. § 35.130(b)(7).

Rooker-Feldman doctrine and questions of sovereign immunity—**See Tennessee v. Lane, 541 U.S. 509 (2004)**,[and proves you do not have Sovereign immunity Rights at all. On top of that I will be asking for your job and pensions and any Licenses you hold with the Conn. Bar. **See Lane**, the Supreme Court split 5-4. In an opinion written by Justice John Paul Stevens, the majority ruled that Congress did have enough evidence that the disabled were being denied those fundamental rights that are protected by the Due Process clause of the Fourteenth Amendment, among those rights being the right to access a court. Further, the remedy Congress enacted was congruent and proportional, because the "reasonable accommodations" mandated by the ADA were not unduly burdensome and disproportionate to the harm. **Garrett**, the Court said, applied only to **Equal Protection claims**, not to Due Process claims. Therefore the law was constitutional. Chief Justice William Rehnquist, and Associate Justices Clarence Thomas, and Antonin Scalia filed dissents.

Congress has the power under **Section 5 of the Fourteenth Amendment** to abrogate the States' sovereign immunity in cases implicating the fundamental right of access to the courts.

You and your friends (judges) of the ADA Committee also directly by statute, Must provide for remedies in **Equal Protection** of law and **liberties interest**.

Today No one has Dis-qualifying our disability, your refuse Childs and Fit Father (Appellant father) prima facie Test and our path For Remedies Past, Present and Further Discriminations You personally have placed undue burdens on us and all Disabled People of Conn. Using your services.

(1) That the Child and Father is a "qualified individual" with a disability; Appellant is a "qualified individual" being that he has a Fundamental Constitutional Right to be in The State of Connecticut Courts. **28 C.F.R. 35.104 U.S.C. § 12134(a); 28 C.F.R. § 35.190(a); Executive Order 12250, 45 Fed. Reg. 72995 (1980),** reprinted in **42 U.S.C. § 2000d-1.** The title II regulations require public entities to "administer services, programs, and activities in the most integrated setting appropriate to the needs of qualified individuals with disabilities." **28 C.F.R. § 35.130(d).** The preamble discussion of the "integration regulation" explains that "the most integrated setting" is one that "enables individuals with disabilities to interact with nondisabled persons to the fullest extent possible...." **28 C.F.R. Pt. 35, App. B at 673 (2011) (addressing § 35.130).**

And under title 42 U.S. Code Section 12133 of the American Disability Act of 1990 as amended provides.

Mark Ciarciello and State Actors and Players are Willfully ignoring of the information in my all Past Complaints and briefs and todays complaints and willfully disregard ADA and ADA law, ADA violations that have leads to N.R.M. and Fit fathers due process rights,

"[t]he remedies, procedures and rights set forth in [the Rehabilitation Act] shall be the remedies, procedures and rights" applicable to Section 12132 discrimination claim 42 U.S. Code Section 12133, **see Collings v. Longview Fibre Co. 63 F.3d 828, 832 n2 (9th Cir. 1995). See Popovich.** **See from the 2nd Court, innovative system s v. City of White Plains Zoning.** The arguments and Decisions are our same ones, policies, practices, activities of the public entity.

Argument

Argument is that the CT Judicial Branch is non-compliant with the ADA, was non-compliant on the 1st court date of this Child Best interest in 2006 and is still non-compliant in 2015. The Judicial Branch did not, has not, and are/is not performed their "Administrative Responsibilities", It's not if your disabled !!, its where you provided your Rights. Read in full **Miranda v. Arizona, 384 U.S. 436 (1966),** to better understands, and then **SEE School Bd. of Nassau County v. Arline, 480 U.S. 273 (1987)** Then See **The Olmstead v. L.C., 527 U.S. 581 (1999)** See **United States v. Georgia (04-1203); Goodman v. Georgia (04-1236)**

Compensatory damages including reasonable attorney fees and expenses, settled in **Tenn. v. Lane. and Goodman v. Georgia.** Remedy for past discrimination, eliminating current discrimination, prohibited future discrimination;

All of the CT Judicial Branch ADA violations led to violations of Childs and Fit Fathers **due process rights** and **Equal Protection of law and liberties interest of this family.**

How is it even after Federal Order to take my Child (NRM) name out memorandum of law with his disability can your judge's write and publish his name and medical Facts?

How is your Judges Can Take a Social impaired child (Autism with an IQ50 or less) and in only their Room Find with no Due process he is not Social impaired.. It's Call Discrimination.

I know it's from the widespread problem with lack of compliance with the ADA, you failing at your job and the Oath of the Conn Bar you have taken or the Oath of your offices and job description.

LAWS THAT SUPPORT OUR CLAIMS

United States Federal Laws

title 28 CFR, Part 35, Section 35.130(b)(7) prohibits discrimination in services, programs and activities of the State or its agencies of the ADA. The ADA provides for a penalty of \$ 100,000.00.

Congress Found In its analysis, the district court also looked to the ADA's legislative history and the Department of Justice's regulations and Technical Assistance Manual, all of which support the court's interpretation of the plain language of the statute. With respect to **Title II of the ADA, the House Committee on Education and Labor stated:** The Committee has chosen not to list all the types of actions that are included within the term "discrimination", as was done in titles I and III, because this title essentially simply extends the anti-discrimination prohibition embodied in section 504 to all actions of state and local governments. **Title II of the bill makes all activities of State and local governments subject to the types of prohibitions against discrimination against a qualified individual with a disability included in section 504 (nondiscrimination).**H.R.Rep. No. 101-485(II), at 84, 151 (1990), reprinted in 1990 U.S.C.C.A.N. 303, 367, 434 (emphasis added). As the preamble to the Department of Justice regulations explains, "[T]itle II applies to anything a public entity does. All governmental activities of public entities are covered." 28 C.F.R. pt. 35, app. A at 456 (1996). The Department of Justice's Technical Assistance Manual, which interprets its regulations, specifically refers to zoning as an example of a public entity's obligation to modify its policies, practices, and procedures to avoid discrimination.⁸ **The Americans with Disabilities Act: □Title II Technical Assistance Manual § II-3.6100, illus. 1 (1993) ("TA Manual"). - See more at:**

<http://caselaw.findlaw.com/us-2ndcircuit/1057881.html#sthash.4j8EtILv.dpuf>

Under title 7 U.S. Code, Chapter 51, Section 2011. Congressional declaration of policy.

Section 504, protects qualified individuals like the Appellant with his disabilities, under Section 504 persons with disabilities that affect major life activities are caring for one's self, walking, seeing, hearing, speaking working.

Rehabilitation Services: title 29 U.S. Code, Chapter 16, General Provisions

Section 701, Finding; Purpose; reads;

"(a)(1) Millions of Americans have one or more physical disabilities with disabilities increasing."

"(2) Individuals with disabilities constitute one of the disadvantaged groups in society."

"(a)(6) The goals of the Nation properly include the goal of providing individuals with the tools necessary to-

(B) Achieve equality of opportunity, full inclusion and integration in society, employment, independency living, and economic and social self-sufficiency, for such individuals."

The United States Supreme Court interpretation of **504 Rehabilitation Act in Alexandra v. Choate, 469 U.S. 287 301-02 (1985)** the Court concluded that Congress intended to protect disabled persons from discrimination from thoughtlessness.

II. Standard for Determining Disability

Appellant/Plaintiff and NRM (child) contends that they are deprived of his rights under the Rehabilitation Act of 1973

Section 504 of the Rehabilitation Act provides that:

No otherwise qualified individual with a disability in the United States . . . shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance or under any program or activity conducted by any Executive agency or by the United States Postal Service.

29 U.S.C. § 794(a). Section 504 is enforceable through private causes of action. **Constantine v. Rectors and Visitors of George Mason Univ., 411 F.3d 474, 491(4th Cir. 2005).** In order to succeed on such a claim, a plaintiff must demonstrate "that

(1) she has a disability,

(2) she is otherwise qualified to receive the benefits of a public service, program or activity, and

(3) she was excluded from participation in or denied the benefits of such service, program or activity, or otherwise discriminated against on the basis of her disability." **Id. at 498.**

Equal and the same the State must have, and have Equal Protection Clauses

The Appellant is asking for judicial review Remedy for past discrimination, eliminating current discrimination, prohibited future discrimination

Appellant /Plaintiff is willing to this action pursuant to 42 U.S.C. § 405(g) to obtain judicial review of a final decision by the Commissioner denying his claim for disability benefits. All of the cases cited by Plaintiff involve actions brought under the Americans with Disabilities Act and the Rehabilitation Act; they were not judicial appeals of the Commissioner's decision. See e.g., *Popovich v. Cuyahoga Cnty. Court of Common Pleas*, 276 F.3d 808 (6th Cir. 2002); *Duvall v. Cnty. of Kitsap*, 260 F.3d 1124 (9th Cir. 2001); *Paulone v. City of Frederick*, 787 F. Supp. 2d 360, 363 (D. Md. 2011).

A claimant in a social security case, however, is entitled to a full and fair hearing, and the failure to conduct such a hearing may constitute grounds for remand in some cases. See *Sims v. Harris*, 631 F.2d 26, 27 (4th Cir. 1980) (holding that remand was proper in case because hearing was not fair because the absence of counsel created "clear prejudice and unfairness" to the claimant). Moreover, procedural due process provides that a claimant has a right to fair hearing. See *Richardson v. Perales*, 402 U.S. 389, 400-02, 91 S. Ct. 1420, 28 L. Ed. 2d 842 (1971); *Martise v. Astrue*, 641 F.3d 909, 921-22 (8th Cir. 2011); *Ventura v. Shalala*, 55 F.3d 900, 902 (3rd Cir. 1995).

Time for Objections

The parties are hereby advised that, **pursuant to 28, United States Code, Section 636(b)(1)(C), [*14] and Rule 72, Federal Rules of Civil Procedure**, written objections to the findings of fact, conclusions of law, and recommendation contained herein must be filed within **fourteen (14) days of service of same. Responses to the objections must be filed within fourteen (14) days of service of the objections.** Failure to file objections to this Memorandum and Recommendation with the district court will preclude the parties from raising such objections on appeal. **Thomas v. Arn, 474 U.S. 140, 106 S. Ct. 466, 88 L. Ed. 2d 435 (1985), reh'g denied, 474 U.S. 1111, 106 S. Ct. 899, 88 L. Ed. 2d 933 (1986); United States v. Schronce, 727 F.2d 91 (4th Cir. 1984), cert. denied, 467 U.S. 1208, 104 S. Ct. 2395, 81 L. Ed. 2d 352 (1984).**

That decision cannot be reconciled with the Supreme Court's decision in *Olmstead v. L.C.*, 527 U.S. 581 (1999), the plain text of the Americans with Disabilities Act ("ADA"), 42 U.S.C. § 12132, or the plain text of the Rehabilitation Act, 29 U.S.C. § 794, all of which require the non-discriminatory administration of services to individuals with disabilities,

The legal question

The legal question of the State's liability under the ADA and the Rehabilitation Act Does directly implicate the rights of NRM AND FIT FATHER and Any Coalition members and or Any Disabled Citizens of Conn.

And to the preferential creation of new Mandates of services that are available only to the disabled and are provided at the expense of other disadvantaged individuals seeking access to the same scarce Conn judicial branches resources.

Because the district court's order, out dated Policies imposes a "Grave Undue" obligations on NRM AND FIT FATHER and Any Coalition members and or Any Disabled Citizens of Conn. And directly and adversely affects their legal interests and Due Process Rights under the ADA Title II and III on NRM AND FIT FATHER and Any Coalition Member and or Any Disabled Citizens of Conn has standing as a nonparty to appeal and seek a stay of that order. See *Aurelius Capital Partners, LP v. Republic of Argentina*, 584 F.3d 120, 127 (2d Cir. 2009).

NRM AND FIT FATHER and Any Coalition members and or Any Disabled Citizens of Conn. are an entity created pursuant to federal law to advocate for individuals with disabilities. See 42 U.S.C. § 10805. Congress, however, has not invested. With civil enforcement authority under the ADA of the Rehabilitation Act (contrast 42 U.S.C. § 12117 .

NRM AND FIT FATHER and Any Coalition member's and or Any Disabled Citizens of Conn. complaint assert that we will file a ADA suit on behalf of - or even with the permission of - a single identified individual with a disability. While in "some unusual cases," "an organization without 'members' in a traditional sense may be deemed a membership organization for purposes of standing" (*In re Holocaust Victim Assets Litig.*, 225 F.3d 191, 196 (2d Cir. 2000)),

NRM AND FIT FATHER and Any Coalition members and or Any Disabled Citizens of Conn. Is making it "Loud and Clare" showing here that Conn will give a Path for Remedy of past discrimination, eliminating current discrimination, prohibited future discrimination onto a "Protected Class of Citizen" using their services of the state of Conn and All of their subcontractors. . As a result, its attempted virtual representation of thousands of individuals who have no say in, control over, or perhaps even awareness of NRM AND FIT FATHER legal positions can be Part of.

NRM AND FIT FATHER and Any Coalition members and or Any Disabled Citizens of Conn. may investigate individual reported cases of abuse, seek any relief to remedy such abuses going forward if the individual is still in the system, and seek remedies for past violations for recently discharged individuals. 42 U.S.C. § 10805(a)(1).

That **NRM AND FIT FATHER and Any Coalition members and or Any Disabled Citizens of Conn** mandate runs only to individual representation is further shown by the section governing "[l]egal [a]ctions," which similarly contemplates suits on behalf of individuals in requiring exhaustion of **administrative remedies** as to each individual for whom relief is sought. **42 U.S.C. § 10807(a)**.

Remedy for past discrimination, eliminating current discrimination, prohibited future discrimination.

NRM AND FIT FATHER and Any Coalition members and or Any Disabled Citizens of Conn is an entity created pursuant to federal law to advocate for individuals with disabilities. **See 42 U.S.C. § 10805. Congress,**

however, as invested **NRM AND FIT FATHER and Any Coalition members and or Any Disabled Citizens of Conn** with civil enforcement authority under the ADA of the Rehabilitation Act (*contrast* 42 U.S.C. § 12117 (granting civil enforcement authority over Title I of the ADA to the Attorney General)) or **As a Independent states Attorney General As Fit Father here and now declares.**

The decisions were based on the facts **NRM AND FIT FATHER and Any Coalition members and or Any Disabled Citizens of Conn. or As an Independent states Attorney General Act** As a group must "broadly represent" or be "knowledgeable about" the "needs of the clients served by the system" (**42 U.S.C. § 10805(c)(1)(B)**) and also must have a board of advisors with individuals who have been treated by that system (*id.* § 10805(a)(6)).

NRM AND FIT FATHER and Any Coalition members and or Any Disabled Citizens of Conn or As an Independent states Attorney General has made such showing here. As a result, its attempted virtual representation of thousands of individuals who have no say in, control over, or perhaps even awareness of **NRM AND FIT FATHER** legal positions can be reconciled with **Article III or the Due Process Clause.**

That **NRM AND FIT FATHER** mandate runs only to individual representation is further shown by the section governing "[l]egal [a]ctions," which similarly contemplates suits on behalf of individuals in requiring exhaustion of administrative remedies as to each individual for whom relief is sought. 42 U.S.C. § 10807(a).

Appellant/Plaintiff (Fit father) is an individual associated with a individual with a disability (N. R. M. who is with multi physical and mental developmental disabilities and is said child of father) and thus Plaintiff is separately and the same as child that is protected under the ADA provision prohibiting discrimination on the basis of association with persons with disabilities. **28 C.F.R. § 35.130(g); TA Manual § II-3.9000** ("A State . . . government may not discriminate against individuals . . . because of their known relationship or association with persons who have disabilities."). **In addition, 28 C.F.R. 35.104**

On 8/23/06 the child was identify as having Autism and M.R. By judge Brown of Tolland probate court. To this date no one has offer Any Accommodations to us as the father and child are the same side of the coin. As his disabilities are my disable's 28 **C.F.R. § 35.130(g); TA Manual § II-3.9000**

No court has provided the Plaintiff with any effective communications between N. R. M. and himself (as to the wishes of a fit parent) and or the Defendants or DSS Department of Social Services; or Family Relation Officers or Any Gal's or Any Attorney for the Miner Child or to any Investigation by the Court about the child and the Childs Family or How is any Judge to even understand what is the best interest of the a AUTISTIC Child as to what happens during anytime of that Childs life, good, bad, happy, sad, important, or indifference, equal and the same as all parents enjoy with **Non Autistic Verbal Children.**

In addition to physical accessibility issues, Project Civic Access agreements have required counties and towns to ensure that people who are deaf or hard of hearing receive appropriate auxiliary aids and services during court proceedings. For example, in November 2003, the **State of Connecticut Judicial Branch, Superior Court Operations Division in Hartford, Connecticut**, entered into an agreement with the Department resolving a complaint alleging that the state had failed to provide a sign language interpreter for a man who is deaf at three judicial proceedings. **Under the agreement, the state will furnish appropriate auxiliary aids and services, including qualified sign language and oral interpreters, where necessary in the future to ensure effective communication with individuals with disabilities. SEE Settlement Agreement between the United States and Connecticut Judicial Branch of Hartford, Conn. (Nov. 3, 2003).**

Deaf or hard of hearing V. Autistic not Verbal Children and their families

Settlement Agreement in Raymond v. Rowland Civil Action NO. 3:03CV0118 (MRK) May 31, 2007 (Only 1 Conn. Administration) and this agreement was reviewed and approved by the Judiciary Committee of the General Assembly.

All knows now it apply to every Department of the State of Conn. (state Actors) and existent to all Subcontractors of the State (State Players).

Does the child and father hold and enjoy equal and the same Equal Protection of Law, including his **Due Process Rights under the Fourteenth Amendment** of the **U.S. Constitution**, and **article first, § 8, of the Connecticut Constitution**, to the presumption of being a custodial and fit parent against unwarranted invasions and interferences by the State and it is called **effective communication.**

“The liberty interest at issue in this case — the interest of parents in the care, custody, and control of their children — is perhaps the oldest of the fundamental liberty interests recognized by this Court.” Troxel v. Granville, 530

U.S. 57, 65, 120 S. Ct. 2054, 147 L.Ed. 49 (2000); Prince v. Massachusetts, 321 U.S. 158, 166, 64 S. Ct. 438, 88 L. Ed. 645 (1944). "It is cardinal with us that the custody, care and nurture of the child reside first in the parents, whose primary function and freedom include preparation for obligations the state can neither supply nor hinder."

Plaintiff (NRM and fit father) prima facie

(1) that the Child and Father is a "qualified individual" with a disability;

Plaintiff is a "qualified individual" being that he has a Fundamental Constitutional Right to be in The State of Connecticut Courts. 28 C.F.R. 35.104

U.S.C. § 12134(a); 28 C.F.R. § 35.190(a); Executive Order 12250, 45 Fed. Reg. 72995 (1980), *reprinted in* 42 U.S.C. § 2000d-1. The title II regulations require public entities to "administer services, programs, and activities in the most integrated setting appropriate to the needs of qualified individuals with disabilities." 28 C.F.R. § 35.130(d). The preamble discussion of the "integration regulation" explains that "the most integrated setting" is one that "enables individuals with disabilities to interact with nondisabled persons to the fullest extent possible...." 28 C.F.R. Pt. 35, App. B at 673 (2011) (addressing § 35.130).

To comply with the ADA's integration requirement, a state must reasonably modify its policies, procedures, or practices when necessary to avoid discrimination. **28 C.F.R. § 35.130(b)(7).**

There have been **(1)** no offers to modify any court proceedings, no recognition of Childs and fathers ADA rights; **(2)** no notice placed in the file of the special needs of this case; **(3)** no insurance of meaningful effective communications between the child and father when the child is Court Ordered out of the custody of the father and in Visitation with the Defendants; **(4)** All judges in proceedings is aware of the disability at issue in this case and slides past ADA issues; **(5)** makes no offers to modify proceedings or exams, provide aides, refer to specialized court, **(6)** no provision of ADA coordinator; **(7)** no meaningful effective communications within the Courts proceedings; **(8)** and no written grievance policy; **(9)** All the GAL`s denies ADA Rights to their client and the father outright. The ADA is not an option the ADA is the LAW. Father cannot settle these issues anywhere else, and as such the Court has to identify, accommodate, offer accommodations, modifications, and did none to this date.

See OLMSTEAD, COMMISSIONER, GEORGIA DEPARTMENT OF HUMAN RESOURCES, et al. v. L. C., by zimring, guardian ad litem and next friend, et al. No. 98-536. ("Nothing in this part shall be construed to require an individual with a disability to accept an accommodation . . . which such individual chooses not to

accept."); 28 CFR pt. 35, App. A, p. 450 (1998) ("[P]ersons with disabilities must be provided the option of declining to accept a particular accommodation.").

Footnote 14 We do not in this opinion hold that the ADA imposes on the States a "standard of care" for whatever medical services they render, or that the ADA requires States to "provide a certain level of benefits to individuals with disabilities." Cf. *post*, at 9, 10 (*Thomas*, J., dissenting). We do hold, however, that States must adhere to the ADA's non-discrimination requirement with regard to the services they in fact provide.

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). Congress 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 and their Families 28 C.F.R. § 35.130(g); TA Manual § II-3.9000.

Request for accommodation

1. In AC 36368 the Appellate court booked a hearing on Jan 6, 2015 for after 2pm. Change to a Am time or at 1pm start time
2. "[t]he Rights for remedies, ADA Title II and III Procedural Safeguards and rights set forth in [the Rehabilitation Act] shall be the remedies, procedures and rights" applicable to Section 12132.
3. administrative of procedures for any internal or external due process hearing for remedy
4. Full Contact Info with a Copy of their Appointment of 28 CFR 35.107 - Designation of responsible employee
5. Copy's and the dates implementation of ADA title II and III adoption of grievance procedures and Copy of your ADA Tittle II and III ADA Procedural Safeguards
6. I like for list of services and goods the fine reasonably modifiable for an Autistic with developmental impairments child in family courts and by Association rights and recognitions for parents of that child.
7. Copy of Non-Discrimination Policy Statement for services of the judicial branch (State Actors)
8. Copy of Non-Discrimination Policy Statement for your Vendors (state players)
9. I would like an Independent internal administrative hearing or external administrative hearing Under 14 due process rights and Copy of our procedural safeguards Under the Section 504 of the Rehabilitation Act of 1973. For an Independent internal administrative hearing or external due process

- administrative hearing with the DOJ In regards to past present and future discriminations to this family and flat out denials of civil rights for the disabled .
10. A List of GAL's AND CERTIFY LAWYERS AS SPECIALIST STATE OF CONNECTICUT JUDICIAL BRANCH JD-ES-63 Rev. 7-10 under Certification AS ADA title II, title III title 19, Section 504 of the Rehabilitation Act of 1973 and 508 and regulations and has knowledge of family law, Probate laws, Civil rights of child and parents' rights and **Individuals with Disabilities Education Act** (IDEA). and any treating Court doctors of the courts or Family relation personal .that have Autism credentials and are Broad Certified Autism Specialist.
 11. On 10.13.2013 I was advised By Court appointed Atty. Would not be able to Take a deposition Of one in The minor child's doctors providers And I have a full list Of other medically necessary providers Or educators The fall under the child civil rights To have his disabilities fully understood And allow the court to have effective communication To the Childs needs with Autism type translation to the typical community that never see or lives the live of some with disabilities.
 12. I find this unconstitutional and it goes against the whole intent of community inclusion for the disabled and their families to have a understanding of the needs of the disabled using public services.
 13. And asking for immediate stay on all Hearing for Jan 6,2015 under fa06-4006261s until an administrative program policies and procedures have been complied with in a finding of a due process rights Interpreted.
 14. I am asking for immediate intervention of the designated responsible employee Under 28 C FR 35. 107 to step in now as I have been in a multiple courts looking for multiple an equal say in accommodations throughout the courts this person should have the authority to address Past present and future discriminations for remedies to Too correct all past discriminations from state actors and players.
 15. As part of my discrimination complaint and is an inquiry into a case called In Re Anthony B. That has been overturned in fully By Federal law, regulations, title II technical assistance Manual.
 16. I want to know why my son full name and with his disability in 2015 is all over every court ruling do we the family and child hold an HIPPA right what about confidential info for medical info, why is judges writing about NRM medical problems would you the read like every to know your medical info.. No then why is my son so recklessly put out there.
 17. A reserve the right to add, Change or reject any offers for accommodations at the review of the new material and the identification of the designated responsible employee And administrative of procedures for any internal or external due process hearing.
 18. Please prove all self-evaluation for Autistic People using your services and supports.
 19. Please prove all given training material's use stop state actors and player from discriminating onto a Protected Class of people using your services.
 20. When you do your Blanket denial. Please Add the reason why a disabled person cannot have what I just asked for and to provide written reason for denial of access, 28 C.F.R. § 35.150

The law of the land

“Civil Action: Action brought to enforce, redress, or protect private rights. In general, all types of actions other than criminal proceedings.”

“Civil Law: That body of law which every particular nation, commonwealth, or city has established peculiarly for itself; more properly called “municipal” law, to distinguish it from the “law of nature”, & from international law. Laws concerned with civil or private rights & remedies, as contrasted with criminal laws.” Black’s Law Dictionary 5th Edtn, 1979.

Each American Constitutional “Body-Politic” has been Organically Drawn-Together for the Singular Purpose of “the Defence of Their Rights, & to do right & justice to foreigners”. This is the Singular Purpose for the Formation of the Organic (both Un-Written & Written) Constitutional Social-Compacts. This is true at the Federal, State, & All Lower Levels of Government. This is Clear from the Prioritized Position of the term “Justice” in the very “Preambles” of Both the Federal & State Written “Constitution” Documents.

Under these “Social-Compacts”, the Constitutionally-Recognizable “Rights of the People” are the “Top Priority”. These “Rights of the People” are set forth with-in the Constitutional “Social-Compact” are to be secured by the Lawful “State”. To further support these conclusions, it is good to look to the definitions of the term “Right”, which are commonly rendered as follows:

“Right: As a Noun, and taken in the abstract sense, means justice, ethical correctness, or consonance with the rules of law or the principles of morals. In this signification it answers to one meaning of the Latin “jus”, and serves to indicate law in the abstract, considered as the foundation of all rights, or the complex of underlying moral principles which impart the character of justice to all positive law, or give it ethical content. ... And the primal rights pertaining to men

... existing prior to positive law. But leaving the abstract moral sphere and giving to the term a juristic content, a “right” is well defined as “a capacity residing in one man of controlling, with the assent & assistance of the state, the actions of others.” As an adjective, the term “right” means just, morally correct, constant with ethical principles or rules of positive law. It is the opposite of wrong, unjust, illegal. ... A legally enforceable claim of one person against another, that the other shall do a given act or not do a given act. That which one person ought to have or receive from another, it being withheld from him, or not in his possession. In this sense, “right” has the force of “claim”, and is properly expressed by the Latin “jus”. ... Natural rights are those which grow out of the nature of man and depend upon personality, as distinguished from such as are created by law and depend upon civilized society; ... they are those which are plainly assured by natural law; ... those which, by fair deduction from the present physical, moral, social, and religious characteristics of man, he must be invested with, and which he ought to have realized for him in a jural society, in order to fulfill the ends to which his nature calls him.

(Blacks Law Dictionary, 5th Edition)

“Jurisprudence is specifically concerned only with such rights as are recognized by law and enforced by the power of the state. We may therefore define a “legal right” in what we shall hereafter see is the strictest sense of that term, as a capacity residing in one man of controlling, with the assent and assistance of the state, the actions of others. That which gives validity to a legal right is, in every case, the force which is lent to it by the state. Anything else may be the occasion, but not the cause of its obligatory character.”

(William Casey Jones, Director of the School of Jurisprudence, University of California. Pg 121/199, Section 160; Footnotes; “Commentaries on the Laws of England”, by William Blackstone; Bancroft Whitney)

In all of these authoritative sources, we find that Anglo-American Jurisprudence considers the term “State” to invoke a Socially-Compacted Relationship where-under

specific Individual Members who Solemnly Affirm that they have Suffered a Crime, are Guaranteed the Right to "Control ... Others" ... by way of their "Relationship" with the "State", until that Accusation has been Fully Resolved. Here-under, Logic Dictates that they will not be able to "Control" those "Others", Unless they can also Control the "Public-Servants" State Actors and State Players` of the "State".

When a Member of the "Social-Compact" is Directly & Physically Injured by a Criminal Act, it is an Injury To Every-Other Member of that Socially-Compacted Community. It is a "Breach of the Peace", a "Trespass", a "Common-Law Crime" of "Malum in Se", aka: "a Wrong in It's-Self". All Members are Bound-Together under the Terms of this "Social-Compact" to Defend the Rights of Each-Other against all such Physical Crimes. It is like banging your thumb with a hammer. When one member of the body suffers pain, all other true members of that same body sympathetically feel that same pain. These are **Natural/Organic** "Laws", & they are the Same for All Organic "Bodies-Politic", & they are the Same for All "Constitutional States". This is Why the above citations indicate that "Organic Law" is the same as "Constitutional-Law".

These Physical "Injuries" to Individual Members of Body-Politic are recognizable as "Common-Law Crimes", & they have all been commonly referred to in American Jurisprudence as "Public Crimes". Such "Public Crimes" are all Opposed To the "Private Crimes", which are also deceptively termed as "Quasi-Crimes". These "Private Crimes" find their Source in the "Malum-Prohibitum" based Statutory Dictates of Majority-Rule "Legislative Bodies", which in one form or another have (at least temporarily) come under the controlling influence of some form of a Private "Special Interest" Group or Person.

Here-under, when it comes time to En-Force these Constitutionally-Lawless Malum-Prohibitum Based Statutes, the "State Players" & "Pubic-Servant", Prosecutors & Judges Routinely, Knowingly, & Purposefully Prosecute Multitudes of Honorable People, all by Taking "Silent Judicial Notice" that such Honorable People have some-how "Contracted" or other-wise some-how established "Minimal Contacts" & a "Legal Nexus" with some form of a "Private-Law Jurisdiction". In order for such "Private-Law" to be En-Forced in the Public Courts of the State, some form of "Legal Nexus" as this

must be found, where-under "Minimal-Contacts" between the Targeted "Victim" & the "Private-Law Jurisdiction" are established. This is usually accomplished through a "Presumption" that some form of "Commercial Contract" exists between the unwitting Accused and his Accuser. A few Definitions would be good here, as follows:

"Private Law: As used in contradistinction to "Public Law", the term means all that part of the law which is administered between citizen and citizen, or which is concerned with the definition, regulation, and enforcement of rights in cases where both the person in whom the right inheres and the person in whom the obligation is incident are private individuals. See: also: Private bill; Public law; Special law." **Black's Law Dictionary 5th Edtn, 1979.**

When-ever these "State Players" & "Pubic-Servant" & "Public-Servant Judges" & Prosecutors are pressed for the Reason "Why" they have Dis-Regarded the Constitutionally Secured "Rights" of an Honorable-American/Victim in question; they will, begrudgingly plead that the "Accuser Sets the Forum"; & that under the Terms of the Accuser's Complaint "Private Law" was being En-Forced, because of some or another form of "Legal-Nexus" (aka: "Minimal Contacts") which the Victim had established with the Private-Jurisdiction which was seeking to En-Force Obedience to its Private Claim. These Judges will then Finally Declare that the Constitutional-Rights of the Accused can Only be Secured in such cases through a "Counter-Complaint", where-under the "At Law" Jurisdiction of the Court is invoked. This idea is routinely but superficially communicated to first-year law-school students in such case-law precedents as follows:

"the Court of Appeals held it was not an abuse of discretion for the district judge, ... to try the equitable cause first even though this might, through collateral estoppel, prevent a full jury trial of the counterclaim and cross-claim which were as effectively stopped as by an equity injunction. ... the use of discretion by the trial court under Rule 42(b) to deprive Beacon of a full jury trial on its counterclaim and cross-claim, as well as on Fox's plea for declaratory relief, cannot be justified. ... Thus any defenses, equitable or legal, Fox may have to charges of antitrust violations can be raised ... in answer to Beacon's

counterclaim. ... By contrast, the holding of the court below ... would compel Beacon to split his antitrust case, trying part to a judge & part to a jury. Such ... is not permissible.

Our decision is consistent with the plan ... to effect substantial procedural reform while retaining a distinction between jury and nonjury issues and leaving substantive rights unchanged. Since in the federal courts equity has always acted only when legal remedies were inadequate, the expansion of adequate legal remedies ... necessarily affects the scope of equity. ... This is not only in accord with the spirit of the Rules and the Act but is required by the provision in the Rules that '(t)he right of trial by jury as declared by the Seventh Amendment to the Constitution ... shall be preserved * * * inviolate.' ...

Since the right to jury trial is a constitutional one, however, while no similar requirement protects trials by the court, that discretion is very narrowly limited and must, wherever possible, be exercised to preserve jury trial. ... 'In the Federal courts this (jury) right cannot be dispensed with ... nor can it be impaired by any blending with a claim, properly cognizable at law, of a demand for equitable relief' Beacon Theatres, V. Westover, US Supreme Court (1959); 359 U.S. 500, 79 S.Ct. 948, 3 L.Ed. 988.

So, to be fair; there is a "Legal Mechanism" in place which can theoretically Abort the "Private-Laws" the Summary/Military Enforcement Process of the so-called "Equity" Jurisdiction. Theoretically here-under; Constitutional "Due Process of Law" is adequately Secured for the Accused.

But in practice, & as a practical matter; Almost All of the Lower Trail-Level Courts Refuse to Follow this very good Precedent, merely coldly telling the victim that if he does not like the decision, to "Appeal". And the few victims with the knowledge, money, & energy to complete the "Appeal", are quite Likely to be Refused the Justice which they deserve at that "Appellate" Level also; at least if their case is anything which has any significant implications at all for "Setting a Precedent" which might Interfere with the Routine Abuses of the "Private Jurisdiction" which such Judges seem so habitually Prejudice towards.

And so, this is where the "Massive Fraud" against "We the People" who collectively compose this State's Organic Body-Politic occurs. Here-under; the Public-Servant Judges & Prosecutors of these Courts Must "Pretend" to Be "Not Aware" that the Average Honorable American has Absolutely "No Idea" that "Private Laws" of some form of "Private Jurisdiction" are being Enforced Against Him through the so-called "Equity" Summary Court-room Process. These Judges Must Pretend that the Victim is Not being Un-Fairly & Un-Justifiably being Rail-Roaded into a "Private-Law" Jurisdiction. They Must Pretend to be "Ignorant of the Law", in it's Organic/Constitutional Sense; concerning the Natural/Organic Meaning of such simple terms as "Justice", "Fundamental Fairness", & "Due Process of Law". At Every Stage of this Summary/Military Process, they Must Pretend to be under the Good-Faith Delusion that This Non-Organic & Non-Constitutional "Code of Human Conduct" is "Lawful" to Apply against the Un-Suspecting Component-Members of the Body-Politic of "We the People"; i.e. "the State".

Here-under; an "Illusion" Must be Maintained, so that the Pre-Judicial "Prejudice" of these Corrupted "State Players" & "Public-Servant" & "Attorneys" & "Judges" & "Prosecutors" can Routinely be Supported & Advanced through "Plausible Denial". Here-under; they Must "Construct" a Set of "Artificial Rules" so that the "Illusion" of "Impartiality" may be Maintained; & so that Charges of "Arbitrary" & "Prejudicial" Enforcement against Un-Suspecting People can be "Plausibly Denied". Here-under; a "Fiction of Law" Must be Created & Maintained. This is the Sole-Purpose of the above-referenced "Private-Law".

Under this "Fiction of Law" & "Private Law"; "State Players" & "Public-Servant" & "Attorneys" & "Judges" & "Prosecutors" can/and "HAVE" Declare with a Straight-face that the Accused had No "Constitutionally-Secured Rights", because he had "Contracted Them Away". When pressed for Reason "Why" the Accused was Never Told of this "Contract" being En-Forced Against Him; these "State Players" & "Public-Servant" & "Attorneys" & "Judges" & "Prosecutors" will declare again with straight faces that such would amount to "Private Support" of the Victim, & that it is Not Among Their "Duties" to be "Assistance of Counsel" for the Common American People. This "Private-Law Jurisdiction" is all remarkably Similar in its Essential Nature to the

"Babylonian-Whore" of Revelation 17 & 18. It relies heavily on "Commerce"; & it trades on "Slaves & the Souls of Men", as clearly stated in Revelation 18: 9-13 (King-James Version). Here-under; the Victim has "No Rights"; but is regarded as a Commercial form of "Property", just as referred to as the "Slave" in Revelation.

To Counter this Massive Fraud-based "Conspiracy", when Individual Members of Any State's Body-Politic are so Lawlessly Imprisoned, Physically Harmed, or Terrorized; Quo-Warranto/State-Ex-Rel Process specifically gives these "Private Persons" so afflicted, the "Right" to "Control the ... State", so-as-to there-by: "Control ... the Actions of Others". They Do This by "Proceeding In the Name of the State". This specific wording referring to the ability of Particular Individuals to "Control ... Others", by way of their "Control" over the "State", is clearly set forth in both of the above citations.

In all such complaints as these, & including the one in accompaniment here-to; the Complaining Parties are "Joint Tenants in the Sovereignty" through the "Social-Compact" which Defines this "State". This is shown through the following very early U.S. Supreme Court Citation, as follows:

"The revolution, or rather the Declaration of Independence, found the people already united From the crown of Great Britain, the sovereignty of their country passed to the people of it; "We the people of the United States, do ordain and establish this constitution." Here we see the people acting as sovereigns of the whole country; and in the language of sovereignty, establishing a constitution by which it was their will, that the state governments should be bound, and to which constitutions should be made to conform...

It will be sufficient to observe briefly, that the sovereignties in Europe and particularly in England, exist on feudal principles. That system considers the prince as the sovereign, and the people his subjects; it regards his person as the object of allegiance, and excludes the idea of his being on an equal footing with a subject, either in a court of justice or elsewhere. That system contemplates him as being the fountain of honor and authority; and from his grace and grant, derives all franchises, immunities and privileges; it is easy to perceive, that such a sovereign could not be amendable to a court of justice, or subjected to judicial control and actual constraint... The same feudal ideas run through all their

jurisprudence, and constantly remind us of the distinction between the prince and the subject.

"No such ideas obtain here; at the revolution, the sovereignty devolved on the people; and they are truly the sovereigns of the country, but they are sovereigns without subjects... and have none to govern but themselves; the citizens of America are equal as fellow-citizens, and as joint tenants in the sovereignty.

From the differences existing between feudal sovereignties and governments founded on compacts, it necessarily follows that their respective prerogatives must differ, Sovereignty is the right to govern; a nation or state sovereign is the person or persons in whom that resides.

In Europe, the sovereignty is generally ascribed to the prince; here it rests with the people; there the sovereign actually administers the government; here never in a single instance; our governors are the agents of the people; and at most stand in the same relation to their sovereign, in which the regents of Europe stand to their sovereigns. Their princes have personal powers, dignities and preeminence, our rulers have none but official; nor do they partake in the sovereignty otherwise, or in any other capacity, than as private citizens."
Chisholm Ex'r. v. Georgia; 2 Dall. {U.S.} 419, 1 L.Ed. 440, {U.S.Ga. 1793}.

External Independent Hearing on your Administered ADA duties to the public is the only way your Department can now Stop Discriminations. My wishes are for all to come to gathers at the federal level and put in place Remedies that works for the disabled people of Conn. If the State Players choose not to because they think this Pro Se cannot seek justices and relief. Then it forces a Quo-Warranto/State-Ex-Rel Process by trail.

Ignorance's cannot be used as Defense when you have done nothing to comply with the ADA. By doing nothing for 25 years shows, I will never get a Fare Due Process Hearing with the Rights of Remedy in this State by the State Actor or Players that have discriminated.

I would like a written expiations on how you Reader or the Email receiver have not broken these laws! and within this Complaint By Law 28 C.F.R. § 35.150 as

applied to your State and Federal Job description and oath's of your office healed.

CONSTITUTIONAL PROVISIONS SUBJECT

Article First, Section 1 Equality of Rights

Article First, Section 3 Right of Religious Liberty

Article First, Section 20, as amended by Equal Protection under the law for all persons;

Article V and Article XXI of the Amendments nondiscrimination in exercise of civil and political

To the Connecticut Constitution rights on the basis of religion, race, color, ancestry, national

Origin and sex or physical and mental disability.

CONNECTICUT GENERAL STATUTES

C.G.S. Section 4-61u upward mobility, accommodation/training of persons with disabilities.

C.G.S. Section 4-61t Committee on Career Entry and Mobility established re: needs of persons with disabilities.

C.G.S. Section 4-61nn Adaptation of administration of tests to needs of persons with disabilities

C.G.S. Section 4a-2c Diversity Training Program

C.G.S. Section 4a-60 Affirmative Action provisions in state contracts and nondiscrimination on the basis of race, color, religious creed, age, marital status, national origin, ancestry, sex, mental retardation and physical disabilities (including blindness)

C.G.S. Section 5-227 Prohibition of discrimination in state classified service because

Of discriminatory employment practices (as defined in CGS Section 46a-51) and discrimination due to political affiliation.

C.G.S. Section 5-228e Meeting affirmative action goals in state agencies

C.G.S. Section 5-267 Officers, appointing authorities and employees to comply with law

C.G.S. Section 17a-541, 17a-549 Prohibition against denying housing,

employment, civil or legal rights on the basis of psychiatric disability or past or present history of mental disability.

C.G.S. Section 31-22p Non-discrimination in apprenticeship program training standards within state on the basis of race, color, religion, sex, age and national origin; provide training, employment and upgrading opportunities for disadvantaged workers.

C.G.S. Section 40a-60g Transferring enforcement of the Set-aside program from DECD to DAS and CHRO

C.G.S. Section 46a-10 Establishment of an Office of Protection and Advocacy for persons with disabilities

C.G.S. Section 46a-27 Establishment of a commission for the advocacy of deaf and hearing impaired persons; and providing of qualified interpreter services

C.G.S. Section 46a-52 Concerning the review and dismissal of discriminatory practice complaints by CHRO

C.G.S. Section 46a-54 Concerning Diversity Training for State Employees

C.G.S. Section 46a-54(16) Requirement that state agencies conduct diversity training for state employees

C.G.S. Section 46a-56 Broad grant of authority regarding discriminatory practices

C.G.S. Section 46a-57 (d) Chief Human Rights Referees

C.G.S. Section 46a-58 Deprivation of rights, desecration of property, or cross burning

C.G.S. Section 46a-58(a) Prohibition against deprivation of civil rights on the basis of religion, national origin, alienage, color, race, sex, blindness or physical disability

C.G.S. Section 46a-59(a) Prohibition against discrimination in professional and occupational associations on the basis of race, national origin, creed, sex or color

C.G.S. Section 46a-60 Discriminatory employment practices prohibited

C.G.S. Section 46a-60 (a)(2) Prohibition against employment agencies' failure or refusal to properly classify or refer one on the basis of race, color, religious creed, age, sex, marital status, national origin, ancestry, present or past history of mental disability, mental retardation, learning disability and physical disability

(including blindness)

C.G.S. Section 46a-60 (a)(3) Prohibition against discrimination regarding membership and membership rights; discrimination against members or employers or to expel from membership by labor organizations on the basis of race, color, religious creed, age, sex, marital status, national origin, ancestry, present or past history of mental disorder, mental retardation, learning disability and physical disability (including blindness)

C.G.S. Section 46a-60 (a)(4) Prohibition against retaliation for exercising right to file or participate in the processing of a discrimination complaint; prohibition against retaliation on the basis of opposing discriminatory employment practices

C.G.S. Section 46a-60 (a)(5) Prohibition against aiding, abetting or inciting discriminatory employment practices

C.G.S. Section 46a-60 (a)(6) Prohibition against advertising of employment opportunities in a manner that discriminates on the basis of race, color, religious creed, age, sex, marital status, national origin, ancestry, present or past history of mental disability, mental retardation, learning disability and physical disability (including blindness)

C.G.S. Section 46a-64 Prohibition against discrimination and segregation in places of public accommodations on the basis of race, creed, color, national origin, ancestry, sex, marital status, age, lawful source of income, mental retardation, mental disability, or physical disability; requirement of full and equal access to blind, deaf or mobility impaired persons with guide dog; prohibits limiting breastfeeding

C.G.S. Section 46a-64a Discrimination against families with children prohibited

C.G.S. Section 46a-68 State affirmative action plans; filing; monitoring report; (as amended by Public affirmative action officers; regulations Acts 99-233 & 01-28)

C.G.S. Section 46a-68(a) Each state agency shall develop and implement, in cooperation with CHRO an affirmative action plan that commits the agency to a program of affirmative action in all aspects of personnel and administration.

C.G.S. Section 46a-68(b)(2) CHRO shall provide training and technical assistance to affirmative action officers in plan development and implementation.

C.G.S. Section 46a-68(b)(3) CHRO and the Permanent Commission on the Status of Women shall provide training concerning state and federal discrimination laws and techniques for conducting internal investigations of discrimination

complaints to persons designated by state agencies as affirmative action officers and persons designated by the Attorney General or the Attorney General's designee to represent the agency. Such training shall be provided for a minimum of ten hours during the first year of service and a minimum of five hours per year thereafter

C.G.S. Section 46a-68(b)(4) Each person designated by an agency or department board as an affirmative action officer shall (A) be responsible for mitigating any discriminatory conduct within the agency or department, (B) investigate all complaints of discrimination made against the state agency or department, (C) report all findings and recommendations upon the conclusion of an investigation to the commissioner or director of a state agency or department for proper action and (D) complete 10 hours of training by the CHRO and PCSW

C.G.S. Section 46a-68(b)(5) No person designated by an agency or department as an affirmative action officer shall represent the agency or department before CHRO or EEOC. If a complaint of discrimination is filed with CHRO or EEOC against a state agency or department, the Attorney General or designee, of the Attorney General, other than the affirmative action officer shall represent the agency or department before CHRO and EEOC

C.G.S. Section 46a-68(c) Requires state agencies to file affirmative action plans with CHRO. Agencies with fewer than 20 employees to file biennially

C.G.S Section 46a-69 Discriminatory practices by state agencies

C.G.S. Section 46a-71 Non-discrimination in services provided by state agencies on the basis of race, color, religious creed, sex, marital status, age, national origin, ancestry, mental retardation, mental disability, learning disability or physical disability (including blindness)

C.G.S. Section 46a-74 State agencies not to permit discriminatory practices in professional or occupational associations, public accommodations or housing

C.G.S. Section 46a-75(a) Non-discrimination in state educational, counseling apprenticeship and on the job training programs on the basis of race, color, religious creed, sex, marital status, age, national origin, ancestry, mental retardation, mental disability, learning disability or physical disability (including blindness)

C.G.S. Section 46a-76(a) Non-discrimination in allocation of state benefits on the basis of basis of race, color, religious creed, sex, marital status, age, national origin, ancestry, mental retardation, mental disability, learning disability or physical disability (including blindness)

C.G.S. Section 46a-77 Cooperation with CHRO required of all state agencies.

Compliance with Americans with Disabilities Act

C.G.S. Section 46a-77(a) All state agencies shall cooperate with CHRO in their enforcement and educational programs

C.G.S. Section 46a-77(b) All state agency shall comply with CHRO's request for information concerning practices inconsistent with the state policy against discrimination and shall consider recommendations for effectuating and implementing that policy

C.G.S. Section 46a-77(c) Each state agency shall comply in all of its services, programs and activities with provisions of the Americans with Disabilities Act (42USC 12101) to the same extent that provides rights and protections for persons with physical or mental disabilities beyond those provided for by the laws of the state

C.G.S. Section 46a-81d Prohibition against discrimination and segregation in places of public accommodation on the basis of sexual orientation

C.G.S. Section 46a-81i Non-discrimination in services provided by state agencies on the basis of sexual orientation.

C.G.S. Section 46a-81 l Prohibition against state agencies allowing discriminatory practices in professional or occupational associations, public accommodations, or housing in violation of state anti-discrimination laws regarding sexual orientation.

C.G.S. Section 46a-81n Non-discrimination in allocation of state benefits on the basis of sexual orientation.

C.G.S. Section 46a-82 Discrimination Complaint Filing Procedure

C.G.S. Section 46a-83 Complaint Procedure of CHRO

C.G.S. Section 46a-83a Right of appeal by complainant. Reconsideration requests by CHRO

C.G.S. Section 46-83b Alternative Dispute Resolution/ available to address discriminatory practice complains filed with CHRO; CHRO can promulgate procedural regulations for ADR.

C.G.S. Section 46a-94a (c) Concerning the reopening of matters by CHRO.

C.G.S. Section 51-279d Hate Crimes Advisory Committee

C.G.S. Section 53-37a Deprivation of a person's civil rights by a person wearing a mark or hood

C.G.S. Section 53-37b Deprivation of a person's equal rights and privileges by force or threat

C.G.S. Section 53-40a Persistent offenders of crimes involving bigotry and bias

C.G.S. Section 53a-181b Intimidation based on bigotry and bias

GUIDELINES SUBJECT

Guidelines prepared by the Committee Upward Mobility Guidelines established in 1978 on Upward Mobility

PUBLIC ACTS SUBJECT

Public Act 03-151 An Act Concerning Affirmative Action Officers

Public Act 07-142 An Act Concerning Procedures for the Hearing of Complaints Against State Contractors and Subcontractors by the Commission on Human Rights and Opportunities and Documentation of Nondiscrimination Policies Adopted by State Contractors

Public Act 07-181 an Act Concerning the Investigation of a Discrimination Complaint Against or By An Agency Head or State Commission or Board

Public Act 09-44 An Act Concerning Claims against the State of Connecticut

Public Act 09-55 An Act Concerning the Office of Protection and Advocacy for Persons with Disabilities

Public Act 09-70 An Act Concerning updates to the Family and Medical Leave Act

Public Act 09-145 An Act Concerning Technical Changes to the Statutes regarding Persons with Psychiatric Disabilities and Persons with Substance Use Disorders

Public Act 09-158 An Act Concerning certain state contracting nondiscrimination requirements

Public Act 11-55 An Act to prohibit discrimination in various contexts on the basis of gender identity and expression

Public Act 11-129 Changes references to "mental retardation" to "intellectual disability" in various places in the CT General Statutes.

REGULATIONS SUBJECT

**Sections 27-1021(d)-72 to Discrimination and sexual harassment of veterans prohibited
27-1021(d)-74, inclusive**

Sections 31-51d-1 to 31-51d-12, inclusive Work training standards for apprenticeship and training programs

Sections 46a-54-1 to Description of Organizations, Rules of Practices and Personal 46a-54-152 Data

**Sections 46a-54-1a – 46a-54-103a Complaint processing and contested case proceedings
Regulations**

Sections 46a-68-31 to 46a-74, inclusive Affirmative action by state government

Sections 46a-68j-21 to 46a-68j-43, inclusive, Sections 46a-68k-1 to 46a-68k-8, Section 46a-54d-1 to 46a-54(d) 7 Contract compliance regulations re nondiscrimination in state contracts

Sections 46a-68-32 – 46a-68-74 Agency Affirmative Action Plan Regulations

Sections 4-61dd-1 through 4-61dd-21 Rules of practice for contested case proceedings under the Whistleblower Protection Act

EXECUTIVE ORDERS SUBJECT

**Executive Order No. 3, Governor Thomas J. Meskill;
Requirement that State Contractors file compliance reports with the Commissioner of Labor on their equal employment opportunity practices**

Executive Order No. 9, Governor William A. O'Neill; "Affirmative action"

Executive Order No. 11, Governor Ella T. Grasso; Equal employment opportunity and affirmative action

Executive Order No. 18, Governor Thomas J. Meskill ; Affirmative action

On March 29, 1973, Governor Thomas J. Meskill issued Executive Order No. 18 establishing an affirmative action program to reaffirm the State of Connecticut's commitment to equal opportunity. As a result of this order, the State Personnel Department (Which was changed to the Department of Administrative Services in 1977) was designated the agency responsible for assuring equal employment opportunities existed within state service. The department was also responsible

for the preparation, promulgation, and administration of a statewide affirmative action plan for equal employment opportunity within the state.

- Public Act 75-536 required the preparation of affirmative action plans for individual state agencies. Every state entity was required, in cooperation with the state Department of Personnel and Administration, to develop "an affirmative action plan for equal employment opportunity in all aspects of personnel and administration." Each plan had to be filed with CHRO twice a year.

CHRO was to review and approve the content of the plan. If a plan was in violation of state statutory requirements, or if an agency failed to submit a plan, CHRO was to issue a complaint and handle it in the same manner as a case of unfair employment practices. Additionally, CHRO was to monitor the activity of the affirmative action plans and report their results annually to the governor and the General Assembly.

- Public Act 79-255 removed DAS entirely from the process of plan development and required state agencies to work in cooperation with and pursuant to regulations proposed by CHRO. The law granted CHRO the right to grant annual filing status to agencies with approved affirmative action plans.
- Public Act 83-569 made major changes to the law as a result of the 1983 sunset review of CHRO. These included:
 - each agency was directed to *implement* as well as develop a plan;
 - agencies were required to designate a full or part time affirmative action officer, and CHRO was directed to provide training and technical assistance to those officers in the areas of plan development and implementation;
 - CHRO was required to schedule semiannual and annual filing dates in its regulations, to replace the universal filing dates of March 1 and September 1;
 - CHRO was mandated to approve or disapprove individual plans and failure to do so in a timely manner would result in the plan being approved by default;
 - the Commissioner of DAS and the Secretary of OPM were required to cooperate with CHRO to insure that the State Personnel Act and personnel regulations be administered and that the collective bargaining process be conducted in a manner consistent with the State's affirmative action responsibilities; and

- CHRO was given permission to issue a "certificate of noncompliance" to any agency whose affirmative action plan was twice consecutively disapproved. Such a certificate would bar the agency from filling a position by hire or promotion until CHRO determined the agency achieved compliance with the affirmative action plan requirements and withdrew the certificate; or unless CHRO could not show, at hearing, why the certificate should not be rescinded; or DAS or OPM certified to CHRO that the vacancy must be immediately filled because of an emergency situation. P.A. 88-317 removed the requirement for two consecutive disapprovals, allowing a certificate of noncompliance upon a single plan disapproval.
- Public Act 98-205 instructed state agencies, under the supervision of DAS, to establish a program of accommodation and entry level training for persons with disabilities, with such programs being a part of each agency's affirmative action plan. The plans are to include specific annual goals and timetables on the number of jobs to be filled through the accommodation of person with disabilities and on the entry level training for such persons.

UNITED STATES CONSTITUTION SUBJECT

First Amendment Freedom of speech

Thirteenth Amendment Prohibits slavery and involuntary servitude

Fourteenth Amendment Equal protection

Fifteenth Amendment Prohibits denying voting rights on the basis of race and color

Nineteenth Amendment Abolishment of voting restrictions on the basis of sex

FEDERAL LAWS SUBJECT

42 U.S.C. Section 12101 et seq. Americans with Disabilities Act (ADA) of 1990, prohibiting discrimination on the basis of disability in employment, public accommodations, public services and telecommunications.

PUBLIC LAWS SUBJECT

PL 101-336 Americans with Disabilities Act of 1990

FEDERAL REGULATIONS SUBJECT

28 CFR Part 36 Regulations on nondiscrimination towards persons with disabilities by public accommodations and commercial facilities.

28 CFR Part 35 Regulations on the basis of disability in state and local government

29 CFR Part 32 Handicap discrimination regulations

29 CFR Part 35 Nondiscrimination on basis of disability in state services

29 CFR Part 1627 ADEA records and reports

29 CFR Part 1630 Equal employment opportunity for individuals with disabilities

31 CFR Part 51 Nondiscrimination by revenue sharing recipients

41 CFR Part 60-1 OFCCP regulations

41 CFR Part 60-741 Affirmative action regulations for handicapped workers

29 CFR Part 1605 Religious discrimination guidelines

29 CFR Part 1608 Affirmative action guidelines

29 CFR Part 1625 ADEA interpretations

EXECUTIVE ORDERS SUBJECT

**Executive Order 10590 President Dwight D. Eisenhower;
Establishment of the President's Committee on Government Employment Policy
as amended by EO10722 and supersede by EO 11246**

**Executive Order 10652 Establishment of Equal Opportunity Commission,
amended EO 10773, amended by EO 11051, Revoked by EO 12148.**

**Executive Order 11246 and 11375 President Lyndon B. Johnson Amended by
Executive Orders 11375, 11478, 12086 and 12107;
Nondiscrimination in Federal Contracts**

**Executive Order 12336, by Executive Order 1235 as amended; Task force on
Legal Equity**

**Executive Order 12640 Re-establishment of the President's Committee on
Employment of
People with Disabilities, See also EO10555.**

Executive Order 13078 National Task force on Employment of Adults with Disabilities

104th Congress

Public Law 104-1 An Act applying and extending rights and protections (including those under Title VII of the Civil Rights Act of 1964, the Age Discrimination Employment Act of 1967, the Rehabilitation Act of 1973, and Title 1 of Americans with Disabilities Act of 1990) to the legislative branch of the federal government "Congressional Accountability Act of 1995".

Public Law 104-76 Act to amend the Fair Housing Act to modify the exemption from certain familial status discrimination prohibitions granted to housing for older persons "Housing for Older Persons Act of 1995".

Public Act 104-331 (same as above) applied to Executive Office of the President "Presidential and Executive Office Accountability Act".

Under the ADA case law the "State Actors And Players" are still using outdated case that have been overturned by Access to the courts is a fundamental due process right. Lane, 548 U.S. at 533-34.

"It is incumbent on All judges and judicial staff to ensure that every person with a disability be provided with reasonable accommodation, if available, to ensure that she can be a full and equal participant in our system of justice." In re McDonough, 457 Mass. at 528, 930 N.E.2d at 1293. Notably, the court also stated that, "We anticipate in most cases accommodation of a witness with a disability will be provided without controversy and without the need to resort to the procedures we discuss." Id. at 522, 930 N.E.2d at 1289.

"Today" the Conn. Judicial Staff and Judges and All State Players is using all "Outdated or "Wrong Policy", "Programs" and "Complaint Policies" and "Procedures of Title I" and it's a Clear Administered "Thinking" what works for employees' can work then for "All "Public Individuals" using their Services and by "Refusing to Comply to title II of the ADA, 42 U.S.C. §§ 12132", and its implementing regulations, 28 C.F.R. Part 35, because State Players Conduct is willingly and has :

1. Excludes All individuals with disabilities from participation in and denies them the benefit of the services, programs, or activities of a public entity, in violation of 42 U.S.C. § 12132 and 28 CFR §35.130(a);

2. does not afford "Any" qualified individuals with disabilities an opportunity to participate in benefit from the services, programs, or activities of a public entity that is "equal" to that afforded others, in violation of 42 U.S.C. § 12132 and 28 CFR §35.130(b)(1)(ii); and

3. "Willingly Fails" to make reasonable modifications in policies, practices, and procedures when the modifications are necessary to avoid discrimination on the basis of disability, in violation of 42 U.S.C. § 12132 and 28 C.F.R. § 35.130(b)(7).

4. The ADA applies to the Conn. Courts because it is a "public entity" as defined by title II. 42 U.S.C. §12131(1).

5. "Willingly Fails" to "Establish" title II Procedures Specifically to Process Section 504 and 508 Complaints. Section 504 and 508 complaint process, agencies will consider augmenting the Section 504 complaint process, so as to include specific policies and procedures targeted to the processing of Section 504 and 508 complaints. The complaint policies and procedures should also include a method for tracking the complaints and ensure a timely response and resolution.

6. "Willingly Fails" Incorporate Alternative Dispute Resolution Into Section 504 and 508 Complaint Process. In providing Section 504 and 508 complainants a choice of using an Alternative Dispute Resolution (ADR) option to attempt resolution of their complaints.

7. "Willingly Fails" Establish Web Accessibility Policies and Procedures. Agencies "must" establish web accessibility policies and procedures to ensure that web developers follow the requirements of the Section 508 EIT Accessibility Standards so as to ensure that their web pages (both public and private) are accessible to people with disabilities.

8. The Following is Title II Requirements and a Request of : COPY`S GIVEN WITH IN 24 HOURS OF GET THIS REQUEST sent to me or I can come to you. EVERY THING I AM ASKING FOR IS/SHOULD BE ACCESSABLE TO ALL STATE PLAYERS! See , e.g., The Americans with Disabilities Act Title II Technical Assistance Manual Covering State and Local Government Programs and Services, section II-7.1000, available at www.ada.gov/taman2.html

(A.) WHERE is Conn. Judicial Department publishing any mandated reports based on the results of the a Conduct a Self-Evaluation of its Services, Policies, and Practices by 1992, and 2008 make modifications necessary to comply with the Department's title II regulation, 28 C.F.R. §35.105;

(B.) Self-Evaluation Copies all administrative ADA Title II Complaints, how they were handled and title II civil actions since July 26, 1992, the effective date of the Section:

(C.) Self-Evaluation Copies on How has Conn. Judicial notify Any ADA applicants of their **Procedural Safeguard Notice**, ADA participants, ADA beneficiaries, and other interested persons of their rights and the Courts Obligations under title II and the Department's regulation 28 C.F.R. §35.106;

(D.) Self-Evaluation Copies to designate a responsible employee to coordinate its efforts to comply with and carry out the Courts ADA responsibilities, 28 C.F.R. §35.107(a); and All Training to them.

(E.) Self-Evaluation Copies title II grievance procedure for resolving complaints of violations of title II, 28 C.F.R. §35.107(b); “Procedural Safeguard Notice”

E1. Self-Evaluation Copies of any reports operate each program, service, or activity so that, when viewed in its entirety, it is readily accessible to and usable by individuals with disabilities, 28 C.F.R. §§35.149 - 35.150, by:

E2. Self-evaluation Copies TO ensure that communications with applicants, participants, and members of the public with disabilities are as effective as communications with others, including furnishing auxiliary aids and services when necessary, 28 C.F.R. §35.160; to provide direct access via TTY (text telephone) or computer-to-telephone emergency services, including 9-1-1 services, for persons who use TTYs, 28 C.F.R. §35.162;

E3. Self-Evaluation Copies By providing information for interested persons with disabilities concerning the existence and location of the Courts accessible services, activities, services and facilities, 28 C.F.R. §35.163(a); and

E4. Self-evaluation Copies In order to avoid the burdens and expenses of an investigation and possible litigation, the all ADA Parties.

E5. Self-Evaluation Copies Conn. Courts have take steps to ensure that all appropriate employees and judges are trained and practiced testing in using the Conn. Court Disabilities Service.

E6. Self-Evaluation Copies that the courts have Enter into contracts or make other arrangements with Qualified Courts Accessible Services for the all disable, all activities, all services and all facilities, any sign language and any oral interpreters to ensure their availability when required for effective communication with persons who are deaf or hard of hearing and or can all developmental needs of the people. The type of aid that will be required for effective communication will depend on the individual’s usual method of communication, and the nature, importance, and duration of the communication at issue. In many circumstances, oral communication supplemented by gestures and visual aids, an exchange of written notes, use of a computer, or use of an assistive listening device may be effective or for counseling, job training, to ensure that adequate arrangements are available for potential clients and family members with disabilities, including adults and children who have mobility impairments, who are blind or have low vision, and who are deaf or hard of hearing.

Implement written procedures to ensure that persons with disabilities who use service animals are not denied or discouraged from participating in Domestic Violence Programs are able to be housed and served in an integrated environment. Implement written procedures to ensure that reasonable modifications are made to the Courts Domestic Violence Programs when necessary for a client or family member with a disability to participate in such Programs, unless doing so would fundamentally alter the nature of the program.

E7. Self-Evaluation Copies of the Courts that can shows all ‘TAKEN’ necessary steps to ‘Ensure’ that its program is accessible to all persons with disabilities.

E8. Self-Evaluation Copies consistent with 28 C.F.R. §35.133(a), the Courts are willing to maintain the Accessibility of its Programs, Activities, Services, Facilities, and Equipment, and will take whatever actions are necessary (such as routine testing of accessibility equipment and routine accessibility audits of its programs and facilities) to do so. This provision does not prohibit isolated or temporary interruptions in service or access due to maintenance or repairs. 28 C.F.R. §35.133(b).

E9. Self-Evaluation Copies that the courts have development or procure a two-hour training program on the requirements of the ADA and appropriate ways of Serving Persons with Disabilities. The Courts will use the ADA Technical Assistance Materials of title II developed by the USDOJ and will consult with what Interested Persons, who were the including individuals with disabilities, in developing or procuring the 'ADA All Training Programs'. Please submit a copy of its training curriculum and materials to the Disable people of Conn., along with a list of Employees Trained and the Name, Title, ALL CONTACT INFROMATION and Address of the Trainers.

E10. Self-Evaluation Copies addressing the Training of Title III of The Conn. Bar and all it Lawyer that belong to its "Services" and that uses the Courts as a Office and/or it a Place of Conducting Business.

The purposes of this Association shall be to promote the public interest through the advancement of **Justice** and the "**protection of liberty**"; to aid its Members in the development and maintenance of their respective practices; to facilitate the delivery of competent legal services to the public and particularly to those in greatest need; to support or oppose legislation and regulations consistent with the "interests of the public good" and its "Members"; to supply the "highest quality continuing legal education opportunities" and works of "legal scholarship"; to promote diversity within the Bar and the Bench; to develop collegial interaction among the members of the Bar; to safeguard the dignity of the legal profession; to coordinate the activities of the several bar associations within Connecticut; and to advance the interests of its Members within the American Bar Association, other organizations with which the Association is affiliated, and society as a whole.

The Conn. Bar Association (CBA) is an Inter-government, Tax-exempt Organization Designed to Test, Train and Advises "All State Players" and "lawyers" that then Serves' Children and Adults with developmental, physical, neurological, emotional, and learning disabilities by providing Services within the Conn. Courts . CBA is a "Public Entity" within the meaning of the ADA, 42 U.S.C. § 12131(1), 28 C.F.R. § 35.104, and is therefore subject to Title II of the ADA, 42 U.S.C. §§ 12131, et seq., and its implementing regulation, 28 C.F.R. Part 35.. §35.103 Relationship to other laws.



Henry J. Martocchio Pro Se / AS an independent states Attorney general
with All Disabled People of Conn. Asking for a path of remedy

