

COMFORT & SERVICE ANIMALS

Court Policy

The Americans with Disabilities Act (hereafter “ADA”) and the Unruh Act prohibit public buildings, including courthouses, from excluding “service animals.” However, these regulations do not prohibit the Court from excluding “comfort animals.” It is the Court’s policy to comply with all applicable federal and State law concerning “service animals” and to ensure that Court staff and security personnel are advised of the Court’s obligations concerning “service animals.” With regard to “comfort animals,” it is the Court’s policy that individual’s wishing to bring a “comfort animal” into any courthouse building must submit a Request for Accommodation (Form MC-410) and follow the procedure set forth in Rule 1.100. Whenever possible, copies of this form should be kept at any public entrance to a courthouse building.

To ensure compliance with the ADA and Unruh Act requirements, the Court shall do the following:

1. All Court Security Personnel shall receive regular training on the requirements concerning “service animals” as well as the difference between “service animals” and “comfort animals.” This training shall include a review of the Court’s procedure entitled “Service & Comfort Animals – Procedure for Security Personnel.” Court Security Personnel should be familiar with Rule 1.100 and the Request for Accommodation form (MC-410). Whenever possible, copies of this form should be kept at any public entrance to a courthouse building.
2. The Court shall create and maintain a document summarizing federal and State law concerning “service animals” and “comfort animals.” This document, as well as any Court procedures concerning “service animals” and “comfort animals” shall be reviewed on a regular basis and updated as needed to conform to current federal and State law.
3. Every courthouse building shall post a sign next to any public entrance stating the following:

NO PETS
Service Animals Specifically Trained To
Aid A Disabled Person Are Allowed To Enter

4. The Stanislaus County District Attorney has advised the Court it has obtained a trained “facility animal” named “Honor” who will be made available to victims who are testifying in court. “Honor” and any future “facility animals” obtained by the Stanislaus County District Attorney or other Justice Partners (Public Defender, Conflicts I or II, etc.) shall be treated as “comfort animals” by the Court.
5. An individual need not submit a separate Request for Accommodation for each and every day it wishes to bring a “comfort animal” into a courthouse building. Rather, the party may submit a single Request for Accommodation for the “comfort animal” that seeks

approval for multiple dates. Justice Partners who will be using a “comfort animal” frequently in connection with Court proceedings may submit a single Request for Accommodation that shall permit the Justice Partner to bring that specific “comfort animal” into any courthouse building for as long as the animal serves the Justice Partner as a “facility animal.” A Request for Accommodation only permits an individual or Justice Partner to bring the “comfort animal” into the courthouse building. It does not permit the “comfort animal” to enter a courtroom. Individuals or Justice Partners seeking to bring a “comfort animal” into a courtroom must follow the procedure set forth in paragraph 6 below.

6. No individual or Justice Partner shall bring a “comfort animal” into any courtroom without first obtaining permission to do so from the judge presiding in that courtroom. If an individual or Justice Partner wishes to use a “comfort animal” in connection with a proceeding, it must file a written request with the judge presiding over that proceeding and provide all parties to the proceeding with reasonable written notice of its request.
7. An individual or Justice Partner shall have a designated handler for any “comfort animal” it uses in connection with court proceedings, and this handler shall be present throughout any portion of the proceeding in which the “comfort animal” is present.
8. Any individual or Justice Partner that brings a “service animal” or “comfort animal” into a courthouse building shall be responsible for cleaning up after any “mess” the animal makes. Further, any individual or Justice Partner that is granted leave of Court to bring a “comfort animal” into a courthouse building shall agree, as a condition of accommodation under Rule 1.100, to hold the Court harmless and indemnify the Court for any damage or liability arising out of the “comfort animal’s” presence in the courthouse building.
9. The Court and Stanislaus County District Attorney shall enter into a Memorandum of Understanding concerning the District Attorney’s use of “comfort animals” in court proceedings. The MOU shall create procedures designed to ensure that use of the “comfort animal” does not create unreasonable disruption or delay to the proceeding.