No. _____

IN THE

SUPREME COURT OF THE UNITED STATES

Julia Minkowski — PETITIONER

vs.

California Supreme Court — RESPONDENT

ON PETITION FOR A WRIT OF CERTIORARI TO

THE CALIFORNIA SUPREME COURT

PETITION FOR WRIT OF CERTIORARI

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QUESTIONS PRESENTED

1. Does a systemic structural defect in due process in California courts eliminate court access, the First and Fourteenth Amendments, and full participation in court programs, activities and services for the disabled litigant?
2. Do California judges systemically subvert the Supremacy Clause in their dealings with disabled pro se litigants in California courts, and enforce an unconstitutional rule of court that replaces the ADA and promotes discrimination?
3. Do California judges systemically violate human rights treaties and customary international law, despite prohibition under Article VI supreme Law of the Land? Must judges investigate and stop these violations upon receiving notice of treaty prohibited acts[1]?

[1] with a focus on conforming with the object and purpose of the treaty according to customary international law?

4. Does the jurisdiction of a state court terminate when it refuses to conform to the supreme Law of the Land? What if the entire state court hierarchy refuses to conform with the supreme Law of the Land?
5. What is the uniform national standard on ending discrimination based on disability as applicable to the accommodation of the disabled pro se litigant in the course of the administration of justice in California courts[2]?

[2] And has the national standard on disability accommodation in the courts been already set by one judge as reported in the related case?

LIST OF PARTIES

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RELATED CASES

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CONSTITUTION

The US Constitution with discussion of Article VI, first, eighth, and fourteenth Amendments

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Human Rights Treaties[3]: UNCAT[4], the ICCPR[5], the ICESCR[6], the CPRD[7]; and the UDHR[8].

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[3] Human rights treaty RUDs generally take the position that the US Constitution is an advanced body of laws that integrally safeguards human rights, and that the treaty RUDs are consistent with this representation, and some explicitly state that remedies under our Constitution for certain articles identified by the RUD are already available. No remedies are provided by California courts against violations of human rights treaties by judges

[4] Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment under Articles 1 and 16, 12, 13, 14, 15.

[5] International Covenant on Civil and Political Rights under Articles 2, 3, 5, 6, 7, 9 (part 1 security of person), 10, 14, 17, 19, 26.

[6] International Covenant on Economic, Social and Cultural Rights under Articles 2, 4, 5, 6, 12.

[7] Convention on the Rights of Persons with Disabilities under Articles 3, 4, 5, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 22, 25

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STATUTES

Rehabilitation Act

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Americans with Disabilities Act (ADA) and its Amendment (ADAAA).

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California courts' alternative grievance process for disability accommodation[9] advertised on the court website but not placed into operation since 2021. See Appendix 3

CASES

[9] A new process for grievance of denial of accommodation, shows that Rule 1.100(g) is designed to be ineffective.

OTHER AUTHORITIES

Mannor KM, Needham BL. The study of ableism in population health: a critical review[10]. Front Public Health. 2024 Apr 17;12:1383150. doi: 10.3389/fpubh.2024.1383150. PMID: 38694970; PMCID: PMC11061527

[10] Note in particular the section entitled "1.2. Ableism as a system of oppression". Ableism is discrimination, prejudice or a systemic bias against individuals with disabilities. It is rooted in the assumption that disabled people require 'fixing' and defines people by their disability. Ableism characterizes people as they are defined by their disabilities and it also classifies disabled people as people who are inferior to non-disabled people. Ableism is commonly connected with other forms of oppression such as racism and sexism.

Pascal Diethelm, Martin McKee, Denialism[11]: what is it and how should scientists respond?, *European Journal of Public Health*, Volume 19, Issue 1, January 2009, Pages 2-4, https://doi.org/10.1093/eurpub/ckn139

UN Article: United Nations: Academic Impact ""But You Don't Look Disabled": Legitimizing Invisible Disabilities"

[11] The employment of rhetorical arguments to give the appearance of legitimate debate where there is none,5 an approach that has the ultimate goal of rejecting a proposition on which a scientific consensus exists. Denialism is a person's choice to deny reality as a way to avoid believing in a psychologically uncomfortable truth. It is the practice of denying the existence, truth, or validity of something despite proof or strong evidence that it is real, true, or valid. Denialism can also be defined as the employment of rhetorical arguments to give the appearance of legitimate debate where there is none, with the ultimate goal of rejecting a proposition on which a scientific consensus exists.

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[12] A new process for grievance of denial of accommodation, shows that Rule 1.100(g) is designed to be ineffective.

OPINIONS BELOW

California Supreme Court S284033 is unpublished. The opinion is in 2 parts, one is written, and the other a silent ruling on my request for disability accommodation, resulting in my unequal impaired access to that court.

Sixth District Appeals Court cases H050352, H050828, H051179, H051674, H050084 are components of S284033 because the California Supreme Court obstructed my every attempt to escalate these appellate court writs by depriving me of accommodation, eventually resulting in only a single writ S284033.

Judicial notice is requested of the denial of my disability accommodation by this court.

JURISDICTION

The jurisdiction of this Court is invoked under 28 USC §1257(a), for the decision of 3/12/2024.

STATEMENT OF THE CASE

The facts demonstrate that a disabled pro se litigant is abused by the hierarchy of California Courts because of disability and because of being self-represented.

An invisibly disabled litigant is deprived of Constitutional privileges and immunities in the course of accessing California Courts.

As result, the litigant sustains harm to life and liberty and property and rights, and suffers injuries and increased disabilities all under the custody and control of California judges.

California judges operate according to an unlawful policy that is designed to prejudice the disabled litigant in the course of litigation and favor their opponent.

This discrimination based on disability is systemic and authorized at the highest levels of the California Judiciary[1].

[1] Court rules are designed by the Judicial Council of California and endorsed by the California Supreme Court, and must be followed by every judge and every litigant. When the policy behind a court rule deviates from legislative intent or

Judges will commit unconscionable acts of cruelty and inhumanity, and degrade the disabled litigant, and will invent prejudicial facts to justify their inhumanity.

A disabled pro se litigant has no human rights in the California Courts. California courts will not provide the guarantee of due process to the disabled litigant.

I am a disabled single mother of three children in a divorce. My ex-husband is domestically violent, conceals assets and commits fraud through his attorney, Nicole Myers, who is well known for lack of ethics, and for making every divorce into a major financial drain, while abusing process. Multiple victims attest to this truth.

I am very ill, and I keep having to undergo more and more intensive medical treatment because the court induces serious injuries to me and then intentionally interrupts or stops the medical treatment for my recovery and rehabilitation.

I need disability accommodation in order to appear and participate in litigation in order to have equal opportunity of success to my opponent, as well as to

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undermines it, such as in the case of Rule 1.100 that violates the ADA, the courts violate Separation of Powers.

receive necessary medical treatment that must not be interrupted when it is administered. Neither need is met.

I was not like this before I became self-represented. I was a fit, social, strong, independent mother with a top career and substantial corporate responsibility in a top-of-the-list Fortune 500 company and well-established in Silicon Valley. I loved my job, I had excellent income and benefits, and the prospects of promotion, and I exclusively paid child-support. I was socially active with a social media following.

I lost all of that because I received no disability accommodation and I was subjected to cruel, inhuman and degrading treatment by the courts.

Like the ADA, my employer and the state of California confirmed my disability, but California courts denied it.

For the past two years, the courts injured me through abuse and causing repeated and extreme distress through orders for my unaccommodated and unequal participation, punishment for my disability and for my resulting illness.

As I was made sicker, the court increased its cruel, inhuman and degrading treatment. This is documented in the record of my requests for accommodation and my multiple writs, which the California Supreme Court kept suppressed by rejecting my filings.

Judges, mainly Cindy Hendrickson, unethically and unlawfully denied my disability accommodation even though medical evidence and common knowledge opposed her every ruling on my accommodation.

When I enlisted the help of a certified ADA Advocate, Ms. Leslie Hagan[2], no judge would listen to my needs or provide me with accommodation.

Never in the course of the past two years and many requests for disability accommodation did any judge offer any medical authority or medical argument to justify the denial of my accommodation, or to disprove my court-induced injuries and the chain of causation leading from denial of accommodation to my injuries.

Instead, judges even claimed that my medical records do not state what they plainly and very

[2] I cannot function without her assistance

clearly do state. This systemic fraud makes it impossible for any disabled pro se litigant to secure disability accommodation in court.

The appeal court asked what deference should be given to medical records, when science is the authority, and injuries are predictable based on diagnoses, and then transpire as predicted when abuse is inflicted by the court.

The writ process for aggrieving denial of accommodation is designed to be ineffective. The abuse by judges cannot be stopped. Discrimination by the court is 'business a usual'.

The process used by California Courts to "make courts readily accessible and usable by persons with disability" does not follow due process and has no jury[3] to decide the facts about disability and accommodation needs. Disability accommodation by a court is a purely discretionary and casual

[3] The ADA does not exclude the right to a jury trial when court accommodations are at issue. But this right is only meaningful to the guarantee of due process if a trial on merits of accommodation immediately follows the denial of accommodation, with a stay of the litigation in chief pending the collateral trial.

administrative operation with a single judge deciding, violates the ADA and is unconstitutional.

The accommodation that I requested was similar in form to the accommodation requested in *Biscaro.* My condition became increasing more serious through abuse by the court, but I did not get accommodation as in *James* which the appeal court cites.

Like *Biscaro*, because of the psychological nature of my disability, I required the assistance of a person with knowledge and understanding of how my invisible disability affects my appearance and participation. The qualified person would observe and interrupt when I experienced cognitive and functional roadblocks that are not discernable to the judge who does not believe that I am disabled. The interruption would ask for a short break to allow me to regain my ability to appear and participate if possible.

The judge's written orders[4] state that the court provides no such accommodation because it delays the hearing and interferes with the judge's control of the proceedings. But we clearly know that such

[4] Appendix 5

accommodation is reasonable and quite possible[5]. According to judge Hendrickson, Biscaro would never be accommodated because any accommodation necessary for that disabled litigant would "changes the basic nature of the court's service, program or activity"[6]. So, reversal on appeal in Biscaro was judicial waste and a 'due process dead end' with no possible relief or change to the outcome in the trial court, by design.

These judges operated without strict scrutiny[7] or any proper basis[8] in denial of accommodation, deliberately ignoring medical facts.

In a shocking response from the appeal court[9], the presiding judge of the appeal court, Mary Greenwood, asked primitive questions that indicated that the trial court does not have the most basic

[5] For example, a sign language interpreter for the hearing-impaired, or a language translator, both introduce delays in the proceeding, but the judge will not insist on moving ahead if the hearing-impaired party or the non-English speaker are left behind. This double-standard cannot be challenged through California courts.
[6] Appendix 5
[7] Required when fundamental rights are infringed
[8] Ableism and denialism are improper
[9] Appendix 2

consideration that would be obvious and fair in the treatment of invisibly disabled pro se litigants.

The questions by the appeal court remain unanswered by the lower court judge, and reflect the uncivilized treatment of disabled litigants by California courts, and the undue burden of getting accommodation.

California Courts never look from the perspective of the person with disability[10] as to the impact of the disability or the need for accommodation, and how denial of disability accommodation destroys and oppresses me. The ADAAA communicated this important requirement to our judges, but California judges do not obey this federal law.

For the past two years I received no disability accommodation. Instead, I was gaslighted and treated according to the doctrines of denialism and ableism, and as a person with invisible disability, I was told that I "look ok", or that 'I showed up' when

[10] For example, Paetzold, R. L. et al. (2008). Perceptions of people with disabilities: When is accommodation fair? Basic and Applied Social Psychology, 30, 27-35. Also see the website of DisabilityCampaign.org

ordered and that therefore I do not require disability accommodation.

The meaning of invisible disability is that the disability is invisible, and therefore you cannot discern it by looking. The medical assessment is what determines the disability and the need for accommodation, not a judge's personal opinion and innate bias.

But judges practice medicine on disabled litigants. This form of abuse of discretion goes deeply into judicial ethics, and is a misdemeanor based on licensure laws and is reckless endangerment and impacts the welfare of minors. My children were affected negatively by my abuse. Each California judge who ruled on my disability accommodation or my grievance fails the test of ethics.

This abuse and hostility by judges worsened my health and increased my disability through distress and having no opportunity to recover from induced injuries to my body and my psyche. I became preoccupied with fear and self-defense. No one can cope with litigation, and a struggle to regain rights, and the growing burden of abuse and hostility of a

court simultaneously. To struggle like this is not what you expect if you access a court.

Judges cannot cleanly discriminate without implicating themselves. Based on the same medical records, Hendrickson forcefully insisted that I am not ill and ignored the medical evidence of illness that she caused, but when it suited her discrimination, she insisted that I am too "ill to be a fit parent" and punitively stripped me of my parenting rights while I was under treatment in a residential medical facility.

Judges forced me to participate impaired and unequally and function beyond my ability which was controlled by my disability and by my injuries from the distress of this cruel, inhuman and degrading treatment.

I had no opportunity to deal with the trauma of abusive judges, and no opportunity for medical treatment because of court orders to perform tasks and appear on the court's schedule that provided no room for medical treatment.

All of this is justified by Rule 1.100.

I clearly understood that if I do not obey the court's orders on appearances that I could be found guilty of

contempt. This custody and physical control of the court over me was frightening, and eventually caused me to fear for my life as my injuries mounted.

In hearing after hearing, I was abused and denied opportunity to express myself. I was treated like a kind of trash.

My injuries were caused by the hostility and cruel, inhuman and degrading treatment by judges, and by not being accommodated for my disability and left unequal to my opponent in the court, and sanctioned and punished for being disabled and sick.

Despite my repeated requests with proof of my worsening health caused by deprivation of disability accommodation, judges, mainly Hendrickson, merely increased their discrimination and their prejudice with knowledge of the harm they were doing. They continued to damage my health and make my disability worse.

My priorities are my three children, then my family, then my work and then my divorce. My induced illness and increased disabilities affected my time and my energy and my divorce forcefully occupied a higher degree of my time and energy because of having no accommodation.

I observed that judges insist that nothing else in life is as important as the court and their jobs and caseloads, and they hate disabled pro se litigants.

The judge's demeanor with my opponent was radically different than her demeanor with me.

Because the courts kept abusing me and making me more ill, I was unable to return to work and I lost my prestigious job.

The distress of watching judges use their authority with bias and then experiencing the injustice and the prejudice and harm from their actions made me become more traumatized and more sick, and reduced my ability to function even more.

Depression, anxiety and complex Post-Traumatic Stress Disorder (PTSD) added to the effects of my diagnosis of "Legal Abuse Syndrome"[11].

As the prejudice and the court's misconduct continued, I became more disabled from my injuries caused by the court. I needed disability accommodation increasingly more.

[11] ICD code Z65.3

I began to need extensive mental health medical treatment for my injuries. Time after time, I asked and the court refused me the opportunity to have the required uninterrupted medical treatment. As a result, time after time, the duration and the intensity of the medical treatment that I required was increased by medical professionals.

As I proved that the judge is increasingly disabling and injuring me, the judge retaliated with larger punitive sanctions and denials of disability accommodation. The judge ignored all requests by medical professionals for me to have medical treatment. Instead, the court continued to gaslight me that I need no disability accommodation because 'I look ok'.

The doctrine of 'invisible disability denial' (herein referred to as denialism and ableism) relies on the appearance of the person with invisible disability 'looking ok'. Both ableism and denialism are discrimination per se. Both de-legitimize disability[12].

The court forced me to stop my medical treatment and work like a normal non-disabled person. The judge forced me to function beyond my ability which

[12] See UN Article

was impaired and controlled by my disability and my illness, and suffer injuries from the distress of this cruel and inhuman and degrading treatment.

The judge made the court a very unsafe and hostile environment for me to access legal remedies. I was conditioned by the judge not to disclose my disabilities because requesting accommodation invited retaliation and punishment from the judge, but I had no choice but to disclose their worsening nature because I increasingly needed accommodation. Meanwhile the judge did not hold back from imposing sanctions on me and making my life hell, while preventing me from doing discovery for my community property division and preventing me from advancing my case to trial.

As I became sicker, and my medical treatment became longer and more intensive, including being confined to a care facility for extended time periods, I reported these extensions and increased medical treatments. The court continued to interfere directly with the disclosed schedules of my medical treatment and rehabilitation, undermining them whenever it wanted, and creating the need for further and more intensive treatment.

The court scheduled hearings during my medical treatment, forcing me to interrupt and even stop medical treatment, outraging my medical providers. Even though they wrote letters asking for amnesty and opportunity to provide me with treatment without interruption so that it can have the intended medical benefits, the court refused to listen to them and claimed that I had not provided medical evidence of my disability. Judges repeated this incredible lie, despite diagnoses and reports of increased need for medical treatment that are recorded over a two year period. The court also repeatedly retaliated for my complaints about not being accommodated and punished me for requesting disability accommodation.

As I needed disability accommodation in order to be able to access the court, the court punished me by driving my divorce forward by denying every opportunity to me to do discovery and respond to discovery and to motions and to have a fair trial. The court simply prevented me from offering evidence at my community property division. In essence, the court took away all my Constitutional privileges and immunities, and subjected me to cruel and unusual punishment, and denied me a trial on the merits.

Each of these actions by Hendrickson are violations of articles of human rights treaties, such as the UNCAT, the ICCPR, the ICESCR, the CPRD, and violate the UDHR. These actions violate the first, fifth, seventh, eighth, and fourteenth Amendments. These violations are approved by the higher courts in California.

There is no mechanism provided by the California courts to stop these violations of laws by California judges. Judges ignore *James* when the disability is invisible, and the litigant is self-represented.

Rule 1.100 controls grievance by a writ of mandate that must be filed within 10 days. A writ speaks to legal error and not to intentional discrimination and prohibited criminal acts by judges.

The standard of scrutiny and the presumptions used by higher courts to decide a writ are not compatible with the harm that is suffered by the disabled pro se litigants, or with her fundamental rights and human rights.

To file a writ, the victim of discrimination must do further complex work very rapidly while unaccommodated, and while under other deadlines. This process only compounds the harm and injuries

and further undermines the necessary medical treatment and rehabilitation. The process is flawed and unconstitutional. There is no safeguard for the protection of the welfare of the disabled pro se litigant, who the courts keeps injuring.

Each time I filed a writ, it did nothing to stop the discrimination or the cruel, inhuman and degrading treatment. Sometimes the appeal court refused to hear my case because the appeal court itself also does not accommodate disabilities according to law. In each case, the appeal court ignored my condition and found no fault with the denial of my disability accommodation by the lower court judge, and sent me back to the lower court to receive more abuse.

The judges of California courts are so prejudiced that a disabled pro se litigant faces the unspoken intimidation and coercion of these courts to reduce legitimate disability needs far below reasonable. I have had to ask for accommodation that is so far below the minimum need for the equalization with the opponent that the accommodation is ineffective even if it is granted.

But a justice-starved disabled pro se litigant feels that it is the only way to be able to complete medical

treatment. She has to get accommodation somehow to complete medical treatment, even though it will cost her any possible success in the litigation. In this way, even if it is rarely granted, such accommodation is no accommodation at all.

Each time I attempted to take my complaint from the appeal court to the California Supreme Court, that court just shut its door to me and prevented me from filing a writ. The California Supreme Court claims to follow rule 1.100 but it does not. It provides absolutely no accommodation.

The California Supreme Court ruled that there can be no accommodation for invisible disability in a California court. As a result, the prejudiced Family Court judge has continued to abuse me, and take away all of my rights, and increase my injuries. The court felt more justified to interrupt and stop my treatment with vicious allegations against me that are all false, injuring me further, and therefore requiring more and longer treatment.

No court in California stopped the taking of my rights or my cruel, inhuman and degrading treatment. Human rights treaties require members of government to act to stop prohibited conduct,

especially to investigate and stop upon notice. No judge in the California courts did so.

To silence me, Hendrickson pronounced me vexatious for filing disability grievances.

The proof of my injuries can be seen by comparing successive requests made by me for accommodation with supportive medical records showing how the denial of my accommodation and the interference of judges with my medical treatment caused my need for treatment to be increased and the treatments to become stronger. The dates of hearings show how the judges cut into my medical treatment, which by common knowledge, must be uninterrupted to realize its medical benefit.

I have been kept in constant fear and anxiety for my well-being and my personal safety and security. I did everything to stop my torture by California judges and to have my privileges and immunities restored, to no avail.

Three days before the community property trial, my case was reassigned to the notorious judge Socrates Manoukian[13], giving me insufficient notice and no

[13] See related case

opportunity under law to challenge the judge and remove him while I was in treatment and forbidden to use electronics.

This judge has a track record of abusing the disabled pro se litigant and he was assigned specifically to my case at the last minute, indicating a conspiracy of discrimination.

My divorce went to trial for community property and I could not appear. Every effort I made over several months to reschedule the trial after my medical treatment was unsuccessful was denied, while the court kept extending my medical treatment by abusing me.

As a result, the trial awarded all my real and personal property to my abusive ex-husband, as well as obligating me to pay over $1.2 million dollars in fraudulently alleged claims, along with substantial sanctions and punitive awards, leaving me with nothing from the marriage, and everything awarded to my ex-husband. I have no child custody. I feel so unsafe in California that I am basically a refugee without a state.

This is cruel and unusual punishment without due process of law, with excessive fines imposed. The US

Constitution, the California Constitution, civil rights, disability laws provide me no protection against California courts.

In summary, I have been injured repeatedly by discrimination of California judges based on disability and their cruel, inhuman and degrading treatment. Disability was not a factor in my life and work until I had to litigate and be self-represented. My health was lost to court abuse, my job was taken away by court abuse, all my property and interests were lost to court abuse, and my children were taken away because of my confinement for medical treatment because of court abuse.

California judges violate the rights of disabled pro se litigants and the higher courts in California endorse these violations. A disabled pro se litigant has no due process and no human rights in the California Courts. Therefore there is no remedy left for me except to appeal to this court to change how disabled pro se litigants are treated by the California courts.

REASONS FOR GRANTING THE PETITION

I confirm the findings of the related case.

When a disabled pro se litigant is a party to civil litigation, California Courts systemically refuse to follow Title II of the ADA, as well as the Constitution and human rights treaties.

Unlike other litigants, the disabled pro se litigant is harmed, subjected to discrimination by California judges, deprived of constitutional due process, and assured of injustice without any test of merits.

Instead of subordinating the rules of court and civil procedure to the guarantees of the Constitution and to the authority of human rights treaties and to national standards on disability accommodation and judicial ethics, courts do the opposite.

Such pro se litigants are self-represented because they cannot afford an attorney, and the courts will not appoint one. Judges will prevent representation[14].

I was provided no accommodation for my invisible disabilities, and injured more and more as a result. I

[14] By obstruction of motions for attorney fees

was forced to participate in due process when I could not participate, and the court increased its prejudice in response to my increasing inability to litigate due to the court's infliction of injuries.

California courts are not readily accessible and usable by persons with disability.

James considers cancer combined with serious illness, but invisible disabilities can be as debilitating.

The injury and the inequality of opportunity for success in the litigation will increase as the cycle of accommodation request followed by denial followed by judicial retaliation for protesting deprivation of rights escalates. This is a form of favoritism for the non-disabled party and is inconsistent with judicial impartiality.

In my case, this cycle of harm and injustice resulted in my legitimately fearing for my life after my injuries mounted and my increasing medical treatment was constantly obstructed by judges. I do not feel safe in California when the government injures me and causes injustice and will not follow the law.

There is no standard on how California judges must accommodate disabilities, so these judges simply do not accommodate invisible disabilities[15] at all.

They discrimination under Rule 1.100, which is not ADA compliant[16] under a judicial policy controlling its application that seeks to discriminate. Since Rule 1.100 replaces the ADA in the California courts, and discriminates based on disability, these courts violate the Separation of Powers.

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[15] By dividing persons with disability into two subclasses, California courts discriminate by providing segregated access to the visibly disabled and denying access to the invisibly disabled litigant.

[16] The rule appears facially neutral but is not. 1.100(g) taxes a grievance for discrimination. 1.100 restricts accommodation to hearings only, and only for the visibly disabled. 1.100 is unconstitutionally applied to eliminate due process, and privacy (under *Vesco*), while expanding litigation privilege unlawfully to reward exploitation by opponents to support the court's characterization of the applicant as a fraud. If you apply late, you do not get accommodation. Court administration and finances are more important that discrimination and due process. "Fundamental alteration" is used loosely, not under a compelling government interest standard. Deprivation of fundamental and human rights are permitted under 1.100. 1.100 is worded to hold the public trust by making a false appearance while the policy underlying its true use and enforcement is a direct violation of Title II of the ADA and human rights treaties. The grievance process and timing is impossible to meet, the burden of satisfying the appellate presumptions is improperly too high. When writ is substituted by common sense arguments, the technical requirements of writ success and the judge's discriminatory facts are so high that common sense and the authority of science are useless.

Judges of California courts will prolifically violate the First and the Fourteenth Amendments when dealing with disabled pro se litigants[17].

The resulting harm cannot be remedied by damages, and requires a rewinding of litigation because the courts proceed without due process and equal protection for the disabled litigant.

As a result of higher courts ratifying this invidious discrimination and systemic violation of the Constitution reaching to California's highest court and instigated by it, the loss of the state courts' jurisdiction is final, but nowhere acknowledged by precedent.

So California Courts simply proceed to violate the rights of disabled pro se litigants without any remedy being available through the state courts for their subversion of supreme Law. Therefore I end in this court.

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[17] This is documented in my writs to the Sixth District Appeal Court H050352, H050828, H051179, H051475, H051674, H050084, which all relate to S284033. They include discussions of the violations of the first, eighth, and fourteenth Amendments by California judges in dealing with disabled pro se litigants. These violations are approved by the higher courts in California.

Accommodation by California judges does not follow due process and has no jury[18] to decide the facts about disability or accommodation needs. Disability accommodation by a court is purely discretionary and a casual administrative operation without standards by a single judge who becomes increasingly more prejudiced and malicious.

The appellate actions in this case demonstrate systemic and invidious discrimination by judges that cannot be corrected from within the California courts which are structurally organized under a central authority[19] to discriminate based on disability.

Only this court can set the national standard[20] for disability accommodation for disabled pro se litigants in the state courts and determine when systemic

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[18] A seventh and Fourteenth Amendment violation must be considered.

[19] Every judge is expected to follow the California Rules of Court.

[20] The federal government is required to play a central role central role ON BEHALF OF persons with disability in enforcing a clear, strong, consistent, enforceable standard addressing discrimination against individuals with disabilities to establish a clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities. This central role of the federal government is specified by the ADA (and its Amendment's) purpose.

discrimination ends the jurisdiction of the state courts.

Only this court can stop the violations of the human rights of disabled pro se litigants by the states courts and their cruel, inhuman and degrading treatment.

It should not be necessary for a disabled pro se litigant to refer to international human rights treaties, when their ratification assures state parties that our Constitution and laws provide government compliance with the object and purpose of the treaty.

But in our state courts, judges do not follow the Constitution when a disabled pro se litigant is before the court. This is international fraud and breach of the treaty covenants.

California Courts ignore the medical records provided in support of requests by disabled pro se litigants for disability accommodation. This is the reason for question 3 in Appendix 2[21]. Consider that there is no other way to prove a disability, especially

[21] Appendix 2 Question 3: "What level of deference must a court give to medical opinions set forth in documents presented by a person in support of a request for an extension of time or continuance as a disability accommodation?"

an invisible disability, except by medical records, which I consistently provided to the judges.

The ADA did not make our accommodation burdensome, or discretionary. Minimum standards of medical competence and evaluation do not exist when California judges evaluate disability and its accommodation needs. No consideration is given by California judges to injury that will result from denial of disability accommodation, even though it is medically predicted.

Judge Mary Greenwood asked these primitive questions with obvious answers. She has denied multiple requests for disability accommodations and simply allowed abuse and human rights violations to continue in the California Courts.

Instead of courts being medically versed in disabilities and offering and anticipating the impact of disabilities and providing for their accommodations, the disabled pro se litigant is faced with an inhuman and callous court environment that will never appreciate or equalize disabilities.

California Courts will never consider the perspective of the person with disability on discrimination absent a precedent from this court.

California courts do not follow Title II of the ADA or its Amendment or the Rehabilitation Act or the Convention on the Rights of Persons with Disability if a disabled pro se litigant requests accommodations for the purpose of litigation. However, under Article VI they are required to do so along with obedience to nine human rights treaties in place. There is no sign of human rights for the disabled pro se litigant in the California Courts.

The eleventh Amendment does not excuse the state courts, or the judges personally, from the requirement of obedience to treaties and to federal laws that this nation strongly supports. So strong is our national commitment to ending discrimination based on disability that we celebrate December 3rd as the International Day of People with Disabilities to promote an understanding of disability issues and mobilize support for the dignity, rights and well-being of persons with disabilities.

California judges pay no consideration to our dignity or well-being. California courts expressly violate Title II of the ADA and 42 USC 126 §12101, §12102 and §12132. They do not comply with the requirements for disability accommodation set by the

Department of Justice in the Code of Federal Regulations and their guidelines on accommodations.

De novo review of the facts of my case shows that California judges expect me not to be disabled and not to need medical treatment. They expect me not to be disabled in the first place, and expect me to do what they expect without any protest, and never ask for disability accommodation after they deny it the first time.

California judges will treat me in the most cruel, inhuman and degrading ways and expect me not to be injured as a result. So judges implicitly rule to redefine biology in an unnatural way, and order the human body to react differently than nature provides.

The abuse that the disabled pro se litigant receives from California judges and courts is a form of torture as seen from the medical evidence of this case.

Each judge has custody (jurisdiction) over my person and my property and then exercises physical control over my person through orders for my appearance at the cost of injury, and orders for my unequal participation resulting in prejudice, as well as injury and foreseeable injustice to me.

This is cruel and unusual punishment without due process.

I have discussed the many violations of judicial ethics attendant to these violations in my other writs.

Under human rights treaties, the US has promised the international community that such discrimination and cruel, inhuman and degrading treatment cannot happen because our Constitution prohibits it. Through RUDs[22] and its periodic reports, the US claims that such treatment does not happen in the US, and that the government complies with the object and purpose of each treaty.

Under Article VI, state judges must follow human rights treaties according to customary international law[23]. Under customary international law, RUDs are not a bar to the necessity of the compliance of judicial conduct with a human rights treaty absent specific legislation implementing the treaty. And RUDs are not a bar to private right of action under these facts.

It is well-settled that courts make their own rules, and the legislature does not dictate court rules. A

[22] Reservations, Understandings and Declarations
[23] The Constitution refers to this as the Law of Nations

non-self-executing human rights treaty followed by the absence of a rule of court that prohibits cruel, inhuman and degrading treatment does not excuse such prohibited treatment by a judges just because there is no rule of court specifically created to implement the treaty.

The state judges are personally identified by Article VI as individuals in government that must personally enforce each treaty meaningfully and according to its spirit and principles, and its object and purpose[24]. They must also personally obey the treaty in their judicial conduct.

There is no need for any state or federal legislation in order for the state judge to be obligated personally to faithfully discharging the US' treaty obligations according to customary international law because Article VI has done so.

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[24] This court has not ruled on whether a non-self-executing human rights treaty (particularly those prohibiting cruel, inhuman and degrading treatment) must nevertheless be implemented by the state judges in their personal judicial interactions with litigants under color of authority, in order to comply with the spirit, object, purpose and principles of the treaty. The possibility of a judge treating a litigant with cruelty and inhumanity and degrading them is proven by the evidence of this case and by the related case and several others.

If state judges do not comply with human rights treaties, then the US is committing international fraud and undermining the welfare and security of its citizens, because human rights treaties regulate government actions and signatory states expect US compliance, and have objected to our RUDs.

I argued Constitutional violations to the California Courts in lieu of treaties, and the California Courts stated that their cruel, inhuman and degrading treatment and their discrimination violates no Constitutional principle[25]. Therefore, treaties have to be invoked to make clear that the supreme Law of the Land has been violated.

Since most human rights treaties are non-self-executing, courts incorrectly hold that I have no private of right of action to seek a remedy for these prohibited judicial acts under the treaty.

However, I can complain about the judges' Article VI violation, and directly invoke a determination in a domestic court under customary international law. I

[25] I incorporate by reference the Constitutional arguments in my writs H050352, H050828, H051179, H051475, H051674, H050084, which all relate to S284033, and request judicial notice of my Constitutional arguments which we provided to the related case 23-7017 which incorporates some of them.

can also complain about the constitutional violation and absence of due process when a judge violates a treaty under his obligation established by Article VI.

Since judges ignore human rights treaties, unless this court intervenes and sets a standard for the humane and dignified treatment of the disabled pro se litigant, I am prevented from reversing the injustices to me and to my litigation, and judges will simply continue their abuse of the disabled pro se litigant.

All California courts, including the California Supreme Court, distinguish between visibly and invisibly disabled pro se litigants and accommodate only the visibly disabled without a valid and over-riding government interest. This violates disability laws and the morality inherent in the Constitution, as well as California's own Constitution and laws. But California judges turn a blind eye to all of these authorities when they discriminate. With full authority to decide facts, they invent facts to support their discrimination.

With the state courts' monopoly over justice and legal remedies, there is no alternative venue for litigation by disabled pro se litigants when the

lawsuit cannot fit into the limited jurisdiction of the federal courts.

The state of California has specific statutes in addition to the ADA for accommodation of certain disabilities. California courts only pay attention to these disabilities, but ignore the rest of the diverse variety of disabilities.

In the context of the guarantee of due process, this division of a suspect class into two arbitrary subgroups[26] is inconsistent with strict scrutiny equal protection and due process, but quite lawful according to the California Supreme Court.

The morality that is embedded in the due process and equal protection, and required for a determination of discrimination, and without which these abstract concepts cannot be interpreted or applied, is not seen in the California judiciary.

A statement of decision is absent in this case from both the Sixth District Appeals Court and from the California Supreme Court when strict scrutiny is the

[26] See discussion in appellate writs H050352, H050828, H051179, H051475, H051674, H050084, which all relate to S284033.

standard for denial of my accommodation in due process.

California Courts operate as if disability rights are optional.

The standard of review of my accommodation reinforces the need for a decision from this court to set a national precedent on disability accommodation in the state courts, who will otherwise continue their discrimination based on disability.

Thus California courts behave as if the federal government is a foreign state and the ADA is a non-self-executing treaty that should only be obeyed if the sovereign state of California has legislated a specific statute to implement it. But it did.

This conspiracy by California judges is minimally a violation of Article VI of the Constitution[27].

Because of this subdivision of the suspect class, the invisibly disabled pro se litigant gets no accommodation whatsoever, and they are ignored and dragged through litigation in courts without due process or equal protection and are substantially

[27] Reference to "and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding".

harmed with no right of redress for judicial abuse and cruel and inhuman and degrading treatment.

This is shown by *Biscaro* where the invisibly disabled litigant with an invisible disability was denied a supportive Neuropsychologist for mental impairment during his case, in the same way that I was denied a supportive and highly trained Disability Advocate for mental impairment during my case.

California courts however, falsely represent to the public that they do accommodate invisibly disabled pro se litigants[28].

Biscaro would not result in accommodation in the California courts, but only results in reversal with an order for the court merely to decide the accommodation instead of ignoring it. Based on my case, *Biscaro* will never result in accommodation because all that a judge has to do is merely make any ruling on disability accommodation without even a

[28] In a leaflet published on the California Courts' websites, the Judicial Council of California states: "Persons with Hidden Disabilities: Not all disabilities are apparent … The person may have a hidden disability such as … a learning disability, a brain injury, a mental disability, or a health condition. These are just a few of the many different types of hidden disabilities. Don't make assumptions about the person or the disability. Be open-minded."

rational basis when it should be subjected to strict scrutiny analysis but is not.

This is what Hendrickson has done repeatedly, and the higher California Courts will simply turn a blind eye to however unlawful and cruel, inhuman and degrading Henrickson's ruling is.

What *Biscaro* makes clear is that the disabled pro se litigant must endure the abuse by the court all the way to a final judgment before she may ask for relief from her cruel, inhuman and degrading treatment. My case demonstrates that the cost of this is extreme injuries and extreme pain and suffering that society finds to be egregious abuse of judicial authority.

There is no precedent in either the state or federal courts for how an invisibly disabled pro se litigant should be accommodated. All we can do is protest our cruel, inhuman and degrading treatment, and even threaten to sue the court for violation of our rights and for our suffering. This only results in more prejudice and more retaliation.

My case shows that judges will invent facts to increase their malice and ferocity with which they persecute and injure me, expecting to use their own orders as findings of fact at any future litigation

against their abuse of authority. I have become a target for judicial abuse and judges wanting to punish me for what they view as my non-conformance to their expectations.

The truth is that they prevent me from any conformance to their expectations by depriving me of accommodation and abusing me into a state of inability to participate, even participate unequally.

It seems to me that for the first time in about 30 years, a California Appeals Court asked a few immature but overdue questions in this case to begin defining how an invisibly disabled pro se litigant should be accommodated[29].

The immaturity is admission of the reluctance of California Courts to accommodate the disabled pro se litigant.

But this exploration was aborted by the improper litigation privilege conferred on an opponent to decide the collateral issue of disability accommodation that is unrelated to the subject of the litigation itself[30].

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[29] Appendix 2

[30] The trial court judge Henrickson refused to reply to the Appeal court's order, and opposing counsel Nicole Myers then

I am asking this court to please review these appeal court writs[31] because the California Supreme Court did everything possible to keep me out of its court, so that I could not bring any case to it[32]. It kept me out by ignoring my requests for disability accommodation, and timed me out so that I could not file anything.

The statutory and jurisdictional deadlines of courts applied to unaccommodated disabled pro se litigants are Constitutional wrongs and treaty violations.

Finally, after extreme struggle, I managed to file S284033, and it encapsulates the prior appeal court writs, including H051475 which directly leads to it. Looking at prior writs should be the standard of review necessary from this court when there is a systemic court-wide conspiracy against rights[33].

As I had to litigate my divorce and also petition for my rights in the courts, I was unduly burdened with so much extra work that I had to focus on the

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flooded the court with false allegations and fraud – see H051475. All an opponent needs to do in California is to use any allegation and my accommodation is denied.

[31] Sixth District Appeal Court H050352, H050828, H051179, H051475, H051674, H050084, which all relate to S284033

[32] Appendix 4

[33] See 18 USC 241.

priority task, which is to regain my rights. The court forced me to make a choice and compromise my litigation.

A court cannot have jurisdiction over the person and the case if it takes away inalienable rights. Therefore my time has been consumed with petitioning for my rights, and my divorce moved ahead without me, and prejudiced me every day.

The shocking order of the Sixth District Appeal Court dated 12/20/2023[34] reveals that the questions posed by the appeal court for the first time[35] are not considered by California judges, but they are obvious considerations to the reasonable person. The questions invite ready and obvious answers, if you review my many applications for disability accommodations to the three California Courts. My medical records speak the answers.

The standard for ending discrimination based on disability in due process is strict scrutiny, which

[34] Appendix 2

[35] For example, question 1 is: "Are extensions of time or continuances appropriate disability accommodations … to make courts "readily accessible to and usable by persons with disabilities" …?".

makes the order even more revealing of systemic discrimination in the California courts.

Rule 1.100[36] under which these questions are raised is almost 30 years old, yet this is the first time these questions are being addressed.

Nowhere in Rule 1.100 does it state how to accommodate a disability.

The order in Appendix 2 serves as an admission that California Courts have never legitimately considered the accommodation needs of any invisible disability, and certainly not considered much more than accommodations provided specifically by California statutes[37] to the visibly disabled.

The question of fundamental alteration can only be resolved by keeping inalienable rights and Constitutional privileges and immunities firmly intact. Then must be added fundamental legislated rights which in effect supplement constitutional

[36] This rule is designed by the Judicial Council of California and must be followed by every California Court.
[37] Question 2 in Appendix 2 suggests that California judges abuse the textual meaning of rule 1.100 because their denials of disability accommodation do not prove any fundamental alteration of the court service, program or activity.

fundamental rights, which notably include freedom from discrimination based on disability.

Although fundamental legislated rights may not be enacted as Constitutional Amendments, it is sensible to give them precedence equal to fundamental rights.

To this foundation must be added the other components of the "supreme Law of the Land" which are treaties, requiring their spirit and principles to be embodied and used to supplement and clarify the values and the ethos embedded in our own Constitution. And federal laws must also be added.

As each layer is added, conflicts may arise. Conflicts may thus be resolved in the order of precedence. This order would control the measurement of "fundamental alteration" as used by the DOJ in the Code of Federal Regulations and guidelines on the ADA.

Thus for example, the time assigned to a statute of limitation is not as "fundamental" as the freedom from discrimination based on disability in accessing the courts. This is because the time is arbitrarily defined and now a matter of habit but not of such absoluteness that preserving its quantity would

warrant eliminating a fundamental legislated right. The reverse would be true.

Thus the California Supreme Court and the Appeal court should not have applied deadlines to me while they withheld accommodation.

California courts violate my civil rights. Under federal law, the California courts violate 42 USC 1981-1983, and the International Bill of Rights. Under California law, the California courts violate personal rights, the Unruh Civil Rights Act, the Tom Bane Act, and aid my opponents in denial of my rights, and deprivation of my privileges and immunities.

With a monopoly on justice, I cannot go anywhere else to access Constitutional courts and legal remedies. But I have a Constitutional right to due process and equal protection.

California courts operate a conspiracy against the rights of persons with invisible disability. They violate 18 USC 241 and 42 USC 1985. Their conspiracy extends to depriving me of rights, committing torts and disability hate crimes against me, undermining and subverting the Constitution, and painting me in a false light.

Judges fabricate evidence of non-disability and create false findings of fact against me as not needing medical treatment which licensed medical and mental health care providers refute with ease.

By use of their superior authority they use the falsehoods to deprive me of property, deprive me of privacy, and retaliate for my requests for disability accommodation.

They harass me, intimidate and coerce me into unequal participation and lie to the public that they accommodate the invisibly disabled. They rule that I do not need accommodation.

This case shows that judges will abuse the disabled pro se litigant, and other judges will not take a single step to stop the abuse of the disabled pro se litigant. Why would judges do such unconscionable acts?

US RUDs to human rights treaties avoid redundancy when the Constitution already prohibits covered acts. California courts however violate the Constitutional protections that these treaties claim to be in effect.

These Constitutional protections may not be alleged by a disabled pro se litigant in any California Court

for the purpose of receiving any relief or remedy for human rights violations. I have tried to use Constitutional protections promised by these treaties and been ignored by the California Courts.

By replacing federal laws and the Constitution with their own Rule 1.100 which does not conform in its actual use with those federal laws and the Constitution, California judges violate Separation of Powers.

California courts directly violate every treaty that prohibits cruel, inhuman and degrading treatment. The cruel, inhuman and degrading treatment by California judges are willful and they use intimidation and coercion to force compliance with their abusive demands and expectations. They deprive me of medical treatment and rehabilitation, knowingly injuring me, and I cannot refuse court orders to appear or function because the court effectively has custody over my person and property. California judges caused me extreme pain and suffering without any opportunity for relief, and will not take a single step to stop my abuse.

Note that UNCAT has no requirement of custody or physical control. California Courts have exercised

custody and physical control over me by orders to stop my medical treatment and appear in court, for example. All of my property and assets have been taken by these judges, and I have been evicted from my home and deprived of my children and all my personal property because I am disabled.

California Courts cannot allege that because certain human rights treaties are non-self-executing, judges can violate them in principle. The absence of a personal right of action is not the basis for judges' observance of treaties, but observance of treaties by government under International Law is the consideration. California judges are the perpetrators of the prohibited conduct under treaties.

California courts deprive me of justice and human rights.

California courts perform all of these prohibited acts in violation of 18 USC 242. Many other causes of action arise, but the key issue here is the need for precedent to ensure the end of discrimination in the due process and the course of litigation.

If I complain about my treatment, California courts retaliate, punish me excessively and injure me more.

The higher courts do nothing to stop these prohibited acts.

Maravilla is not applied to invisible disability by the California courts.

This court has a long history of disfavoring discrimination. It should not fail to see discrimination in this case.

There is a real question as to whether California Courts lost jurisdiction over my person and my property because of the unconstitutional conduct by judges.

This writ protests the ruling in Appendix 1, as well as the refusal of the California Supreme Court, despite Rule 1.100, to accommodate my disability for prosecution of my writ S284033.

CONCLUSION

The related case is correct. California courts abuse and discriminate against disabled pro se litigants based on a centrally-controlled plan. They injure the disabled pro se litigant and ensure that she is treated unfairly and receives injustice. When given notice to stop abuse, they continue to abuse the disabled litigant.

Improper accommodation guarantees absence of due process. ADA Advocate Leslie Hagan has witnessed this structural flaw in due process in many other cases in California courts, including mine.

A national ADA standard gives us access to justice and to legal recourse through the courts. When subjected to cruel, inhuman and degrading treatment by judges we must be equally protected under strict scrutiny because due process cannot be denied to us on a rational basis because it is a fundamental right.

Similarly, human rights treaties may not be violated because the supreme Law of the Land holds government accountable for acts prohibited by the object and purpose of treaties under customary international law that is incorporated by Article VI.

The jurisdiction of California Courts over disabled pro se litigants is lost upon violations of the Constitution and treaties. This needs precedent with remedial measures that ensures that substantive justice and fair play result. In my case, the proceedings must be reset to the date of the first denial of my accommodation.

Precedent is needed from this court on how to accommodate the invisibly disabled litigant under a uniform national standard and *Maravilla*-like principles. The authority of medical records must be established and also the standard of scrutiny for disability accommodation in due process. Human rights of persons with disability must not be violated as the price of court access.

It seems one federal judge has already set the national ADA standard for courts in 23-7017.

10 August 2024

Julia Minkowski

APPENDIX 1

Court of Appeal, Sixth Appellate District – No. H051475

S284033

(stamp: Filed Mar 12 2024 Jorge Navarette Clerk)

IN THE SUPREME COURT OF CALIFORNIA

En Banc

JULIA MINKOWSKI, Petitioner,

v.

SUPERIOR COURT OF SANTA CLARA COUNTY,
Respondent.

The petition for review and application for stay are denied.

GUERRERO

_____

Chief Justice

APPENDIX 2

12/20/2023

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
SIXTH APPELLATE DISTRICT

JULIA MINKOWSKI
Petitioner,
v.
THE SUPERIOR COURT OF SANTA CLARA COUNTY,
Respondent.

H051475
Santa Clara County Super. Ct No. 19FL004302

BY THE COURT:

Respondent superior court is ordered to serve and file, on or before January 10, 2024, points and authorities in preliminary opposition to the petition for writ of mandate. (See James G. v. Superior Court (2000) 80 Cal.App.4th 275 [superior court has standing to appear and defend in a writ proceeding impacting the operations and procedures of the court].) Yuval Minkowski is also ordered to serve and file a preliminary opposition brief by that same date. These briefs should address all of the following questions:

1) Are extensions of time or continuances appropriate disability accommodations under the Americans with Disabilities Act (42 U.S.C. § 12101, et seq.) and California Rules of Court, rule 1.100 to make courts "readily accessible to and usable by persons with disabilities" (Cal. Rules of Court, rule 1.100(a)(3))?

2) If extensions of time or continuances are appropriate disability accommodations, at what point, if any, would such an accommodation "fundamentally alter the nature of the service, program, or activity" (Cal. Rules of Court, rule 1.100(f)(3))?

3) What level of deference must a court give to medical opinions set forth in documents presented by a person in support of a request for an extension of time or continuance as a disability accommodation?

4) Does the procedure set forth in Vesco v. Superior Court (2013) 21 Cal.App.4th 275 (Vesco) sufficiently address the needs of all parties and the courts in providing appropriate accommodations?

5) As to petitioner Julia Minkowski specifically, did respondent superior court conduct a proper Vesco hearing on September 27, 2023?

6) Was the medical documentation provided by petitioner Julia Minkowski sufficient to support the disability accommodation request that was at issue in the September 27, 2023 Vesco hearing?

Petitioner may serve and file a reply within 21 days after both preliminary opposition briefs have been filed.

3/14/2024

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
SIXTH APPELLATE DISTRICT

JULIA MINKOWSKI
Petitioner,
v.
THE SUPERIOR COURT OF SANTA CLARA COUNTY,
Respondent.

H051475
Santa Clara County Super. Ct No. 19FL004302

BY THE COURT:

This court treats the brief filed by petitioner on January 30, 2024 as a brief in reply to the preliminary opposition briefs filed on January 10, 2024.

The petition for writ of mandate and request for stay are denied.

APPENDIX 3

CALIFORNIA COURTS

THE _IUDICIAL BRANCH OF CALIFORNIA

Americans with Disabilities Act

Grievance Procedure

This Grievance Procedure is established in accordance with the requirements of the Americans with Disabilities Act of 1990 (ADA). It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the following courts:

~ Supreme Court of California
- Court of Appeal, First Appellate District
- Court of Appeal, Second Appellate District
- Court of Appeal, Third Appellate District
- Court of Appeal, Fourth Appellate District

- Court of Appeal, Fifth Appellate District
- Court of Appeal, Sixth Appellate District

1. The complaint should be in writing and contain the complainant's name, address and phone number, as well as a detailed description of the incident or condition, and the location, date, and time of any incident. Upon request to the respective court's ADA Coordinator (contact information provided below) complaints may be filed in another format, such as in person or by telephone, that accommodates the complainant.

2. The complaint should be submitted by the complainant and/or his/her designee as soon as possible, but no later than 60 calendar days after the incident occurred, to the respective courts ADA Coordinator:

Court	**ADA Coordinator Contact**
Supreme Court of California	ATTN: ADA Coordinator Supreme Court of California 350 McAllister Street, Room 1295 San Francisco, CA 94102

	Telephone: (415) 865-7000 S.C.-ADA-Public@jud.ca.gov
Court of Appeal, First Appellate District	ATTN: ADA Coordinator Court of Appeal, First Appellate District 350 McAllister Street San Francisco, CA 94102 Telephone: (415) 865-7300 First.District@jud.ca.gov
Court of Appeal, Second Appellate District	ATTN: Deborah Lee, ADA Coordinator Court of Appeal, Second Appellate District 300 South Spring Street, Room 2217 Los Angeles, CA 90013 Telephone: (213) 830-7114 2DCA.ADA@jud.ca.gov
Court of Appeal, Third Appellate District	ATTN: ADA Coordinator Court of Appeal, Third Appellate District

	914 Capitol Mall, Sacramento, CA 95814 Telephone: (916)654-0209 3DCA-ADA-Public@jud.ca.gov
Court of Appeal, Fourth Appellate District	ATTN: ADA Coordinator Fourth District Court of Appeal, Division One 750 B Street, Suite 300 San Diego, CA 92101 Telephone: (619) 744-0760 4dcalADACoordinator@jud.ca.gov ATTN: ADA Coordinator Fourth District Court of Appeal, Division Two 3389 Twelfth Street Riverside, CA 92501 Telephone: (951) 782-2500 4dca2ADACoordinator@jud.ca.gov ATTN: ADA Coordinator Fourth District Court of Appeal, Division Three 601 W. Santa Ana Blvd. Santa Ana, CA 92701

	Telephone: (714) 571-2600 4dca3ADACoordinator@jud.ca.gov
Court of Appeal, Fifth Appellate District	ATTN: ADA Coordinator Court of Appeal, Fifth Appellate District 2424 Ventura Street Fresno, CA 93721 Telephone: (559) 445-5491 5DCA-ADA-Public@jud.ca.gov
Court of Appeal, Sixth Appellate District	ATTN: ADA Coordinator Court of Appeal, Sixth Appellate District 333 W. Santa Clara Street, Suite 1060 San Jose, CA 95113 Telephone: 408-277-1004 Sixth.District@jud.ca.gov

3. Upon receipt of a complaint, the ADA Coordinator or designee will investigate the complaint. The ADA Coordinator may, at his or her discretion, discuss the complaint or possible resolution of the complaint

with the complainant, or seek additional information from the complainant. The complainants failure to respond to a request for additional information may be deemed an abandonment of the complaint. The ADA Coordinator or designee may, in his/her discretion, seek assistance from other sources in responding to the complaint.

4. Within a reasonable timeframe of receiving the complaint, the ADA Coordinator or designee will respond in writing to the complainant. The response will explain the position of the respective court, and if applicable, offer options for resolution of the complaint. Upon request to the ADA Coordinator, responses may be presented in another format, such as in person or by telephone, that accommodates the complainant. lf more than 30 days is required to respond to the complaint, the ADA Coordinator will promptly notify the complainant of the expected date that a written response will be provided.

5. If the complainant and/or designee is dissatisfied with the response by the ADA Coordinator or designee, the complainant may request reconsideration of the response within 20 calendar days after the date of the response.

6. Requests for reconsideration should be in writing, and include the complainant's name, address, and phone number, a copy of the original complaint, a copy of the respective court‘s response, and a description of issues for reconsideration. Upon request to the ADA Coordinator, requests for reconsideration may be filed in another format, such as in person or by telephone, that accommodates the complainant. Requests for reconsideration must be submitted to:

Court	**Contact**
Supreme Court of California	ATTN: ADA Coordinator Supreme Court of California 350 McAllister Street, Room 1295 San Francisco, CA 94102 Telephone: (415) 865-7000 S.C.-ADA-Public@jud.ca.gov
Court of Appeal, First Appellate District	ATTN: ADA Coordinator Court of Appeal, First Appellate District

	350 McAllister Street San Francisco, CA 94102 Telephone: (415) 865-7300 First.District@jud.ca.gov
Court of Appeal, Second Appellate District	ATTN: Deborah Lee, ADA Coordinator Court of Appeal, Second Appellate District 300 South Spring Street, Room 2217 Los Angeles, CA 90013 Telephone: (213) 830-7114 2DCA.ADA@jud.ca.gov
Court of Appeal, Third Appellate District	ATTN: ADA Coordinator Court of Appeal, Third Appellate District 914 Capitol Mall, Sacramento, CA 95814 Telephone: (916)654-0209 3DCA-ADA-Public@jud.ca.gov
Court of Appeal, Fourth	ATTN: ADA Coordinator

Appellate District	Fourth District Court of Appeal, Division One 750 B Street, Suite 300 San Diego, CA 92101 Telephone: (619) 744-0760 4dcalADACoordinator@jud.ca.gov ATTN: ADA Coordinator Fourth District Court of Appeal, Division Two 3389 Twelfth Street Riverside, CA 92501 Telephone: (951) 782-2500 4dca2ADACoordinator@jud.ca.gov ATTN: ADA Coordinator Fourth District Court of Appeal, Division Three 601 W. Santa Ana Blvd. Santa Ana, CA 92701 Telephone: (714) 571-2600 4dca3ADACoordinator@jud.ca.gov
Court of Appeal, Fifth Appellate District	ATTN: ADA Coordinator Court of Appeal, Fifth Appellate District

	2424 Ventura Street Fresno, CA 93721 Telephone: (559) 445-5491 5DCA-ADA-Public@jud.ca.gov
Court of Appeal, Sixth Appellate District	ATTN: ADA Coordinator Court of Appeal, Sixth Appellate District 333 W. Santa Clara Street, Suite 1060 San Jose, CA 95113 Telephone: 408-277-1004 Sixth.District@jud.ca.gov

7. The ADA Administrator will review the initial complaint, written response of the ADA Coordinator or designee, and the request for reconsideration, and may at his or her discretion, discuss the complaint or possible resolution of the request for reconsideration with the complainant, or seek additional information from the complainant. The complainant's failure to respond to a request for additional information may be deemed an abandonment of the request for reconsideration.

The ADA Administrator or designee may, in his/her discretion, seek assistance from other sources in responding to the request for reconsideration.

8. Within 30 calendar days of receiving the request for reconsideration, the ADA Administrator will respond in writing to the complainant with a final resolution of the complaint. Upon request to the ADA Administrator, the response may be presented in another format, such as in person or by telephone. that accommodates the complainant. lf more than 30 days is required to respond to the request for reconsideration, the ADA Administrator will promptly notify the complainant of the expected date that a written response will be provided.

9. All written complaints, requests for reconsideration, and responses will be retained by the court for at least three years.

This Grievance Procedure is not intended to resolve employment-related complaints of disability discrimination or harassment. Each court has an Equal Employment Opportunity Policy; Policy Against Harassment; and/or Discrimination, Harassment, and Retaliation Complaint Resolution Policy govern employment- related complaints.

APPENDIX 4

Sample letters exchanged with the

California Supreme Court

LETTER #1

Supreme Court of California

January 25, 2023

SENT VIA USPS AND EMAIL

Julia Minkowski
4845 Kingwood Way
San Jose, California 95124

Re: H050352 — Minkowski v. Superior Court of Santa Clara County (Minkowski)

Dear Ms. Minkowski:

In response to your email, received January 25, 2023, I must inform you that your understanding of Rule l.l00 is incorrect. The court does not extend the time to file a petition for review or writ, regardless of an ADA request — please refer to rule 8.500(e)(2) and rule l.l00(a)(3). The rule states that accommodations "may include making reasonable modifications in policies, practices, and procedures." However, per rule l.100(f)(3), if the requested accommodation "would fundamentally alter the nature of the service, program, or activity" the accommodation request

may be denied. Again, per rule 8.500(e)(2), "the time to file a petition for review may not be extended." This rule cannot be superseded by an ADA request to extend time.

The record discloses that a denial order in the above noted matter was issued on November 23, 2022. Under court rules (8.500(e)(l)), the last day to timely file a petition for review in this court was December 5, 2022 (10 days from the date of the denial order). Pursuant to Cal. Rules of Court, rule 8.500(e), this court lost jurisdiction to act on any petition for review in this matter after December 23, 2022 (30 days from the date of the denial order). This court would have had 60 days of jurisdiction if the Court of Appeal had issued an opinion in your case, but because the Court of Appeal issued an order, this court only had 30 days from the date of the denial order for jurisdiction. Without this jurisdiction, this court is unable to consider your petition for review.

If you wish to file a petition for writ of mandate or writ of review, you may do so; however, the

court does not extend the time for filing a writ. There is no fixed time period in which a writ must be filed; however, the court has long required that such

claims be promptly filed. Furthermore, the court does not accept amended writs once the writ is filed. If you plan on submitting a writ, I advise you to only submit your final version of the writ. An amended or supplemental petition will be returned to you unfiled if the court already has your petition filed.

- Very truly yours,
JORGE E. NAVARRETE
Clerk and
Executive Officer of the Supreme Court
By: F. Jimenez, Assistant Deputy Clerk

LETTER #2

Julia Minkowski
4845 Kingwood Way
San Jose CA 95124
Minkowski.juIia@gmail.com

February 20th, 2023

Florentino Jimenez, Assistant Deputy Clerk
For Jorge E. Navarrete, Clerk and Executive office of the Supreme Court
Earl Warren Building
350 McAIlister Street
San Francisco, CA, 94102
Sent via EMAIL
Florentino.Jimenez@jud.ca.gov

Re: H050352 - Minkowski v. Superior Court of Santa Clara County (Minkowski)

Dear Mr Jimenez,

I am writing because I am feeling hopeless and traumatized and I need to stop the discrimination that is happening to me by reason of my disability. I am writing with help to ask you again to please accept my writ, because I am in need of immediate rest and recovery and I can only achieve this by action of your Court. I have to file another writ with the Appeal Court and it is so oppressive and difficult for me to do it that only an action by your Court can stop the unreasonable suffering that is being inflicted one me by reason of my disability.

I have been undergoing intensive treatment for my injuries and trauma and I was not able to respond to your last letter until now. My intensive treatment is continuing. But I wanted to reply to you, even if poorly. My injuries and treatment are needed because of the actions of the courts.

I am disabled, and I have been a victim of discrimination in the Family Court by reason of my disability. It does not have a proper policy or procedure to treat me fairly and with consideration for my disability.

As a disabled person I am not given equal opportunity to use the court system. Because I am disabled, the court looks at me with suspicion and wants me to behave and function like a normal healthy person. I cannot do this no matter how hard I try, and I try very hard and the court keeps me under duress for fear of punishment.

The punishment from the court keeps coming and I am constantly treated like a liar and the court is saying that I am not disabled and do not need accommodation. Therefore I am being injured, and my disability is getting worse because of the treatment and the denial of my ADA disability accommodation.

Everyone other than judges and the courts immediately sees my pain and suffering, and make allowances for me. I have had to stop my job again and ask for disability leave to keep my job. Employers are understanding. But courts are the opposite. I am experiencing a very hostile and negative court atmosphere by reason of disability.

There is no possible way to dispute and deal with the denial of my ADA accommodation by the Family Court. I tried to get help from the Appeal Court by

following Rule 1.100 and filing a preliminary writ but I had to ask for more time to be able to get better and able to writ the writ. But I also needed a stay in the Family court to stop more abuse, so I could recover enough to write my writ.

The Appeal Court did not accommodate me with a stay, so I was injured and discriminated against even more because the Family Court forced me to continue to appear and participate without any disability accommodation. As a result, I could not work on my appeal case, and my writ was denied. This traumatized me because it meant that the Family Court judge is doing nothing wrong. According to any other person, the judge is discriminating based on disability.

I filed a grievance with the Appeal Court as explained on its website. The Court completely ignored me. The Court does not have an ADA Coordinator despite what the court website claims.

There is nothing in Rule 1.100 that says what to do after trying to get the Appeal Court to fix a violation of disability accommodation. If the courts advertise that they provide disability accommodation, there should be a further process documented and made

clearly known. But there is no other process, and if there is, it is hidden and not properly disclosed.

A person who is unable to function from the trauma of being discriminated against by the court and being punished with fines (so far $13,000 for being disabled) cannot be expected to be on time and meet deadlines. This is especially when I am forced to enter intensive treatment and try to heal my injuries, and to do so I have to be allowed rest. One of my disabilities, PTSD, is debilitating, and only continues to get worse with the hostility and indifference of courts to the needs of my disability.

As a mother of three, I not only have to work to support my children, but I also have to be a mother. This becomes extremely hard to do and to function as a self-represented litigant in my divorce, all at the same time as working and litigating. Children are a priority over everything else. And without keeping my job, I cannot pay the unfair support orders.

As a disabled person I have to make choices and I was forced to stop work, because I will not compromise my children. The Family Court will not give me attorney fees against a very rich and abusive ex-husband who is hiding enormous wealth, so I have

to stay unrepresented and vulnerable to discrimination based on disability. In other words, on top of injuries to my health, the cruelty of the courts is affecting my energy and time to care for my children and to keep my job, and basically making it impossible for me to participate in my own divorce.

What is shocking to me is that there is not one single person identified in the Family Court, or in the Appeal Court, or in your Court that comes forward with knowledge of disabilities and the ADA, and works with a disabled self-represented litigant like me and provides the appropriate accommodation. I expected a reply to my MC-410 that I submitted to you to come from a trained and knowledgeable ADA Coordinator, but your letter simply states that the clerk's office is deciding to throw out my MC-410 as being unreasonable.

Your office cites rules of court, but does not mention the ADA. And your court rules do not even properly incorporate the ADA, or consider the priority that the ADA gave to itself as a law with great power to modify laws and rules. The ADA does not hold any rule of court or legal procedure to be above itself. All such rules and procedures must yield to the ADA.

The ADA states that Congress intends the law to have the broadest application. But my history in the Family Court and in the Appeal Court, and now coming to your Court is the opposite. Your letter says that the ADA does not apply as Congress intended.

When you state that I am unreasonable in asking for my writ of review to be heard, I must ask what standard of reasoning you are using.

It is reasonable, when a litigant cannot function, to allow her time to regain function and be able to access your court. In many places in laws and procedures and rules, showing cause in such a situation allows the rule or procedure to be relaxed.

The ability to function and to be treated fairly and with respect and consideration for circumstances is an implied rule of Court. An implied rule of court does not have to be written down. It is an expectation from a properly functioning court that puts the Constitution and the People's rights first, and allows rules and procedures to be formed and modified that serve the People and justice instead of hurting them and disrespecting them.

When you cite a rule of Court as an absolute, it cannot be enforced absent the implied rules being

observed foremost. When you apply Rule 8.500(e)(2) against me, it is in violation of the implied rules. If I am unable to function, which is recorded in my history in the Appeal Court and in the Family Court, then I cannot be held to a deadline, because the ADA, which is a powerful and major over-riding law, intended to have the broadest application, and was legislated to protect me in such a situation.

A rule of Court exists because we have a Constitution and laws. The laws give the US Supreme Court power and subsequently the courts below it to enact rules of procedure to provide the People with a due process of law and courts in which to bring their grievance and seek remedies under the protection of just men and women who have power to resolve disputes. The states similarly form their own courts and enact rules that have to similarly comply with the Constitution and Federal laws, as well as the laws of the state.

All rules of procedure and of the courts must be designed to conform to the Constitution and Federal laws. The ADA is one such Federal law. What I am learning is that the Rules of Court in California do not conform to the ADA. This is the basis of my writ.

But instead of hearing me express this important issue, you are reflexively using bias and the rules that I am challenging to shut me out of your court, not listen to the issue.

Nowhere in the ADA does it say that a disabled person must not be given extra time by the courts. In my case, extra time is the only just accommodation, to stop my injuries from being forced to litigate, and to have opportunity to heal my health. Throughout various rules and procedures, if a person cannot meet a legal deadline, it can be relaxed for good cause.

In California, the Judicial Council chose to make Rule 8.500(e)(2). It did this based on the Constitution and based on our laws and based on applicable Federal regulations during a time when the ADA did not exist. It did not update the rules to properly add the ADA. It came up with Rule 1.100 which does not properly feature the ADA, and it stopped there. It did not adapt or edit any other rule, even though the ADA states that it must be applied very broadly and with the full power of Congress behind it. So it failed to adapt Rule 8.500(e)(2) or add a rule that states that when a disabled person cannot meet a deadline, it has to be modified and how.

Rule 8.500(e)(2) was designed for straightforward issues not disability violations which are complex, and involve major flaws in rules and procedures and knowledge of law and disability. The timing in Rule 8.500(e)(2) is impossible for a disabled person in my situation me to meet. The rules are therefore designed to make it impossible for me to access your Court.

Fundamental change is a concept that the Department of Justice introduced in making regulations for the ADA. The ADA covers the courts and their services. You are a court, and you are providing me with a service. Your service exists because of our Constitution. Your Court is not allowed to make law. It has to obey law, reflect the law precisely and correctly, and implement the law as business rule that make absolutely sure that the law is put in effect properly and at all times.

A rule that helps organization and flow and orderliness of a court is not a law. Therefore, at any point in time, it may be modified by a new law, or by a finding that it is a bad rule and does not comply with the Constitution and all laws.

However, in your letter, you are quoting a rule of Court as a law. As you no doubt agree it is not a law.

The ADA was created after rule 8.500(e)(2). Rule 8.500(e)(2) was not modified to incorporate an exception for the ADA, as it should. No other rule, other than rule 1.100 was added to implement the ADA.

Rule 1.100 was created after the ADA, but does not modify rule 8.500(e)(2). It must do so to be compliant with the Constitution and with the ADA. And as I have shown in my writs, rule 1.100 fails to implement the ADA.

The ADA, as interpreted in the Code of Federal Regulations, requires all courts to accommodate persons who have invisible disabilities, such as PTSD like me. That includes enforcement of deadlines.

The concept of Fundamental Change does not mean that a rule of court is fundamental even if it has been practiced a long time. That is called a habit, not a fundamental characteristic of jurisprudence. A rule is a procedure for the convenience of running a business or a service. It is not a law.

The rule you quote is based on past considerations that went into making up that rule but those considerations that made up the rule did not take the ADA into account. There is no problem with fairness if the rule has been applied to hundreds of thousands of cases, and is not applied to my case, because the ADA expects my protection.

In my case, I cannot function because of disability and I cannot file my writ on time, and your Court is discriminating and failing to protect me as the ADA requires by enforcing a rule of court that violates the ADA.

Therefore for these reason as well as the previous ones, the rule is unenforceable against my case.

A fundamental change is decided by first considering the Constitution as well as the implied principles and expectations that it embodies. The right to due process and remedies at law are fundamental. Rights and the fairness and integrity expected from all branches of government are fundamental. Federal laws, to the extent they do not violate the Constitution, are the next fundamental principles. Treaties, and international laws, are the next fundamental principles. Rules then come in to

implement all of these. Rule 8.500(e)(2) is inferior to all of the above.

Therefore rule 8.500(e)(2) may not be used to deprive me of the right to due process, to remedies, to my rights, and to fairness and integrity expected from all branches of government. It cannot be used to reduce my human rights. But I am being injured and I am suffering because of discrimination by reason of disability.

If it does anything, your Court should be fixing the disability violations and bad rules that are causing me such injuries. It is a court created to sit above all other state courts and keep an eye on them that they are each conforming to the above principles. But by enforcing a rule that the ADA prohibits, your Court is not living up to why it was created, and this is a fundamental change that you are making by using rule 8.500(e)(2) to stop my petition for review.

When you add to your letter that it is a habit for your Court to shorten the unlimited deadline of a writ of mandate, this is another demonstration that the court puts its own habits and comfort way above its right. Its rights to do such things are strictly limited by the Constitution and our laws as I explained.

It is extremely injurious for a disabled person to hear you explain that the habit of the court will also be held against me. I am a disabled person who has been treated with so much discrimination in a court system that is hostile to the disabled litigant, and I am hearing that I cannot get any fairness or remedy. This is because I feel myself getting sicker and more disabled and less able to function. The trauma that I experience is silencing me and stopping me from any function and to resign myself to any harm that the courts will do to me. There is no justice in this.

Lastly, I have a concern based on the Rule 1.100 which you used to reject my request for disability accommodation. The rule is binding on every California Court. It says that when I apply for disability accommodation in any California Court, an ADA Coordinator must respond to it. It also states that if I dispute the response, which came from you, and I therefore assume that YOU (?) are the ADA Coordinator of the California Supreme Court, then when I dispute your response then it should be properly put to a judge to review. This has not happened and I would like to ask you to please ask a judge to review my MC-410 and your response as well as this letter which is asking this Court to

review the ADA Coordinator (?) decision on my MC-410.

Only the California Supreme Court can fix a very serious and dangerous condition in the courts, which physically and mentally and financially harms the protected disabled litigant, and her family and her interests. For all these reasons, I am asking you again to please mobilize your court to review the facts of my case, and fix the bad rules of Court and give me a remedy and protection according to the ADA and the Constitution.

Thank you.

Sincerely yours,

Julia Minkowski

(with the help of a supportive friend)

LETTER #3

Supreme Court of California

August 28, 2023

SENT VIA EMAIL

Julia Minkowski
4845 Kingwood Way
San Jose, CA 95124
Oakland, CA 94607
Minkowski.julia@gmail.com

Re*: Minkowski v. Superior Court - H050828*

Dear Ms. Minkowski:

Your "preliminary writ of review" received electronically on August 25, 2023, regarding the above referenced matter, cannot be filed for the reason that this court has lost jurisdiction. A check of the Court of Appeal docket shows that petition was

denied July 25, 2023. This court lost jurisdiction to act on any petition for review on August 24, 2023. (See Cal. Rules of Court, rule 8.5()0(e).) Without this jurisdiction, this court is unable to consider your request for legal relief.

Sincerely,

JORGE E. NAVARRETE
Clerk and
Executive Officer of the Supreme Court
By: F. Jimenez, Assistant Deputy Clerk

APPENDIX 5

Sample requests for disability accommodation

MC-410 FORM DISABILITY ACCOMMODATION REQUEST FILED SEPT 2, 2022

Question 3: When and where do you need the accommodation?

For all court proceedings till case is resolved. Superior Court of California County of Santa Clara, including the court hearing of September 6th, 2022

Question 4: What accommodation do you need at the court?

See Attachment#1 and Attachment #2 (SECOND Request For Accommodation under the American with Disabilities Act, Under 42 USC 1201 & 42 US 12103 for Respondent Julia Minkowski

Question 5: Why do you need this accommodation to assist you in court?

To have equal access to justice and effectively participate in ALL Court proceedings

ATTACHMENT #1 TO MC-410

REQUEST FOR ADA ACCOMODATIONS

For Julia Minkowski (case #l9FL004302 in Santa Clara County Family Court)

To have equal access to justice and effectively participate in ALL Couit proceedings, the Respondent requests the following Disability Accommodations:

l) The Respondent to be granted an ADA Advocate of her choice.

a) That the ADA Advocate be present and seated next to the Respondent in all Court proceedings and discovery proceedings to be ready to assist Respondent when the need arises, or Respondent becomes symptomatic.

2) Time for all Court Hearings:

a) Be patient with the Disabled Respondent.

b) Uninterrupted time to present her case at all court proceedings. This means that Court gives Disabled Respondent extra time to present her case.

c) Time to respond to Opposing Counsel and the Judge during the proceedings.

3) Tape Recorder and or video recorder as an auxiliary aid for recalling court discussions/decisions.

4) Recesses to consider options before Respondent, if needed.

5) Discussion and decisions communicated in plain English.

6) Continuances for days in which Disabled Respondent is symptomatic.

7) Extra time to respond to Motions, Responses, Requests for Orders, Discovery Requests.

8) Request that the Court shall adhere to the California "A BENCH GUIDE FOR JUDICIAL

OFFICERS: Handling Cases Involving Self-Represented Litigants", when Respondent is not represented by an attorney.

REDACTED MEDICAL LETTER

A letter dated 5/20/22 by a licensed California physician identified 5 separate medical diagnoses each of which qualifies as a disability under the ADA.[1]

[1] Note to US Supreme Court: This was my first request for ADA accommodation. As an invisibly disabled person I usually did not disclose my disability, but it had become necessary to be able to keep up with litigation under mental impairment. I relied on the confidentiality of this disclosure, especially as it might have impacted my personal and professional life. In the California precedent Biscaro, the disabled litigant needed a neuropsychologist due to mental impairment, and I requested an experienced individual who knew the ADA and also knew how to detect and handle my mental impairment druing hearings. This impairment had repeatedly compromised me and required a support person, like a support person under Family Code §6303 to ameliorate. The deprivation of accommodation, and the cruel, inhuman and degrading treatment by the court increased my diagnoses and injuries, and therefore my disability, to the point that I needed outpatient mental therapy. By continued judicial abuse, the mental health treatment progressively increased to residential mental health treatment, and combinations of the two, with longer and longer durations and increasing intensity. These injuries and the destruction of my health ultimately caused the loss of my children, and all of my assets, and a prestigious and financially rewarding career. This occurred through my exclusion from litigation by the judges and also

THE COURT'S RESPONSE TO MY MC-410

Your request is DENIED IN WHOLE OR IN PART. The denied portion of your request:

Does not meet the requirement of Cal.Rules of Court, rule 1.100 (untimely)

Changes the basic nature of the court's service, program or activity.

See attachment

Signed 8/31/22

Judge Cindy A. Hendrickson

The court responded in person, by phone, or mail/email on Sept 2, 2022

Attachment to MC-410

The request would fundamentally alter the court hearing in a way that would render the proceedings unfair to the other party. The request would

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from the unopposed fraud by my opponent who was encouraged to exploit my disability and to provide allegations to support the discrimination by the judges. In the end, this combination of abuse put me in fear of my life.

essentially render the applicant exempt from many well-established rules of procedure and courtroom conduct by which the other party would remain bound. Moreover, the request would fundamentally alter the court hearing in a way that could make it impossible for the court to hear the matter in a reasonable time. The applicant rather than the court would control the timing and the pace of filings and proceedings.

MC-410 FORM DISABILITY ACCOMMODATION REQUEST FILED APR 10, 2023

Question 3: When and where do you need the accommodation?

April 17th, 2023 and onwards, Santa Clara Family Court, department 1

Question 4: What accommodation do you need at the court?

To continue/reschedule 4/17/23 hearing in order to complete my medical treatment. See attachment #1

Question 5: Why do you need this accommodation to assist you in court?

Please see attachment #1. I am on a state disability.

THE COURT'S RESPONSE TO MY MC-410

Your request is DENIED IN WHOLE OR IN PART. The denied portion of your request:

Does not meet the requirement of Cal.Rules of Court, rule 1.100 (untimely)

Changes the basic nature of the court's service, program or activity.

See attached.

Signed 4/9/23

Judge Cindy A. Hendrickson

The court responded in person, by phone, or mail/email on 4/10/2023

Attachment to MC-410

The applicant seeks the continuance or re-scheduling of an upcoming court date, but has proceeded by way of a confidential Disability Accommodation Request in lieu of a noticed and filed Request to Continue Hearing (FL-306.) If granted, the accommodation sought - to wit, a continuance of the upcoming April 17, 2023 court hearing - would deprive the other party of their right to notice of the continuance request, and an opportunity to respond. The accommodation request is therefore denied as one

that, if granted, would fundamentally alter the basic nature of a standard court procedure[2].

EXCERPT FROM MC-410 FORM DISABILITY ACCOMMODATION REQUEST FILED NOV 2023

DENIED.

[2] Note to the US Supreme Court: 1) Hendrickson asserts that there may be no confidentiality of private, sensitive and embarrassing personal medical information which must be disclosed to the court for the purpose of disability accommodation despite the promise of the MC-410 form and of rule 1.100, and 2) that the accommodation must be accommodation by the adversary thus improperly extending litigation privilege to include a collateral matter unrelated to the subject of the litigation, and 3) that the ADA and rule 1.100 have no standing in the California court as long as there is a standard procedure by which a rights deprived disabled pro se litigant can request a change of timing in litigation. The message of Hendrickson is that the cost of public disclosure of personal and private information in a public forum and having to fight for accommodation in an adversarial process where the biased judge does not follow the evidence code, prejudicially excludes authoritative medical evidence and provides no jury for fact finding in a critical collateral matter that controls due process, is the unchangeable nature of California due process.

The Court sees an inconsistency among the following: Respondent's statement inferring hospitalization between 10/30/23 and 12/28/23, the preparation and 11/14/23 signing of the documents in support of this motion, and Petitioner's claim in his response to this motion that Respondent continues to share 50/50 care and custody of the children. The Court does not find credible or convincing the claim that Respondent cannot appear for a trial setting conference on 11/20/23[3].

Date: 11/16/2023 4:11:22 PM

Judge of the Superior Court Cindy S. Hendrickson

[3] Note to the US Supreme Court: 1) if an invisibly disabled pro se litigant shows any sign of life or movement or activity, California judges immediately rule that she is not disabled, that is fit and capable of competent and unimpaired appearance and FULL participation in litigation without accommodation while suffering the distress of unaccommodated activity beyond her capability in the presence of a prejudiced judge in a hostile court, and 2) Petitioners attorney Myers KNEW that my mother is looking after the children during my medical treatment, yet she and the petitioner intentionally misrepresented this fact to the court, and to the judge who expected Myers to provide allegations that Hendrickson would treat immediately as facts to prejudice me without opportunity for rebuttal. Thus disability accommodation is maintained outside of the guarantee of due process in the California courts. The many MC-410s that I filed in the California Courts show the variety of ways that the implementation of the ADA in the court's services, programs and activities is inconsistent with the purpose and objective of the law, and is unchallengeable, and always results in no accommodation for invisible (hidden) disability.