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**Arizona Superior Court of Gila County
Limited Jurisdiction Courts of Gila County**

Language Access Plan (LAP)

I. Legal Basis and Purpose

This document serves as the plan for the Arizona Superior Court of Gila County, and the Limited Jurisdiction Courts of Gila County, to provide to persons with limited English proficiency (LEP) services that are in compliance with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.; 45 C.F.R. § 80.1 et seq.; and 28 C.F.R. § 42.101–42.112). The purpose of this plan is to provide a framework for the provision of timely and reasonable language assistance to LEP persons who come in contact with the Superior Court of Gila County and the Limited Jurisdiction Courts of Gila County.

This language access plan (LAP) was developed to ensure meaningful access to court services for persons with limited English proficiency. Although court interpreters are provided for persons with a hearing loss, access services for them are covered under the Americans with Disabilities Act rather than Title VI of the Civil Rights Act, and therefore will not be addressed in this plan.

II. Needs Assessment

A. Statewide

The State of Arizona provides court services to a wide range of people, including those who speak limited or no English. From a statewide perspective, the following languages were listed with the greatest number of speakers who spoke English less than “Very Well” in Arizona (according to the American Community Survey estimate report from the U.S. Census Bureau dated April 2014):

1. Spanish
2. Navajo
3. Chinese
4. Vietnamese

B. Superior Court of Gila County and Limited Jurisdiction Courts of Gila County

The Superior Court and Limited Jurisdiction Courts of Gila County are responsible to provide services identified in this plan to all LEP persons. However, the following list shows the foreign languages that are most frequently used in this court or the court’s geographic area.

- 45 1. Spanish
- 46 2. Apache
- 47 3. Arabic
- 48 4. Serbo-Croatian
- 49 5. Russian

50
 51 This information is based on data collected the United States Census Bureau data for Gila
 52 County, Arizona.

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 54 **III. Language Assistance Resources**

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 56 **A. Interpreters Used in the Courtroom**

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 58 **1. Providing Interpreters in the Courtroom**

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 60 In the Superior Court and Limited Jurisdiction Courts of Gila County, court interpreters will be
 61 provided in all courtroom proceedings at no cost to all LEP witnesses; litigants; victims; parents,
 62 guardians, and family members of minor witnesses, victims, and/or litigants; as well as any other
 63 person whose presence or participation is necessary or appropriate as determined by the judicial
 64 officer.

65
 66 It is the responsibility of the private attorney, Public Defender or County Attorney to provide
 67 qualified interpretation and translation services for witness interviews, pre-trial transcriptions
 68 and translations and attorney/client communications during out of court proceedings.

69
 70 **2. Determining the Need for an Interpreter in the Courtroom**

71
 72 The Superior Court and Limited Jurisdiction Courts of Gila County may determine whether a
 73 court customer has limited English proficiency. Identification of language needs at the earliest
 74 point of contact is highly recommended. The need for a court interpreter may be identified prior
 75 to a court proceeding by the LEP person or on the LEP person’s behalf by counter staff, self-help
 76 center staff, family court services (Conciliation or Mediation services), or outside justice partners
 77 such as probation officers, attorneys, social workers, detention facilities’ staff and / or law
 78 enforcement personnel. Courts have a documented process to identify LEP needs for parties with
 79 notation in the physical or electronic case file.

80
 81 Signage throughout the court building indicating interpreter services are available may also help
 82 to identify LEP individuals. The Superior and Limited Jurisdiction Courts of Gila County will
 83 display this sign at the front public service counter of each constituent court.

84
 85 The need for an interpreter also may be made known in the courtroom at the time of the
 86 proceeding. In a case where the court is mandated to provide an interpreter, but one is not
 87 available at the time of the proceeding, even after the court has made all reasonable efforts to
 88 locate one, as previously outlined in this plan, the case will be postponed and continued on a date

89 when an interpreter can be provided.
90

91 **3. AOC Interpretation Resources**

92 **Court Interpreter Registry and Listserv**

93 The AOC maintains a statewide roster of individuals who indicate they have interpreting
94 experience and have expressed interest in working in the courts. The court using interpreting
95 services will determine the competence of the persons listed. This roster is available to court staff
96 on the Internet at <http://www.interpreters.courts.az.gov>.
97
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99 Additionally, AOC created a statewide listserv to allow courts to communicate via email on
100 court interpreter-related matters. The listserv is an excellent resource to locate referrals for
101 specific language needs. Access codes and instructions to join the listserv may be obtained from
102 the AOC Language Access contact person.
103

104 **Video Remote Interpreting (VRI)**

105 The AOC has installed video conferencing equipment at the State Courts building that will allow
106 courts with compatible technology to remotely conference an interpreter from the Phoenix metro
107 area or from another court jurisdiction into their court to improve resource allocation and reduce
108 time and costs associated with interpreter travel. Contact the AOC LAP contact for more
109 information on VRI connectivity and checklist for court proceedings most appropriate for video.
110
111

112 **B. Language Services Outside the Courtroom**

113 The Superior Court and Limited Jurisdiction Courts of Gila County are also responsible for
114 taking reasonable steps to ensure that LEP individuals have meaningful access to all court
115 services and programs outside the courtroom. Court services and programs include but are not
116 limited to family law services, self-help centers, clerk offices, intake officers, cashiers, and
117 records room.
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120 **1. Assistance to Understand Court Procedures and Policies**

121 Services offered by the court generally to English-speaking customers pursuant to the
122 Employee Code of Conduct (ACJA §1-303) must also be provided to LEP litigants in their
123 language.
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126 **2. Assistance to Fill-out Court Forms and Pleadings**

127 The Superior Court and Limited Jurisdiction Courts of Gila County will assist in the
128 filling-out of court forms for those LEP court customers who are unable to do so either by
129 themselves or with the assistance of another competent adult proficient in English.
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133 Depending upon the specific circumstances in a given situation, the manner in which the
134 court provides assistance may take the following forms:

135
136 a. Engaging an interpreter (in person or remotely) to interpret between a court staff person and
137 the court customer, thus allowing the court staff person to transcribe verbatim the customer's
138 answers to form questions. In this instance, a notation would be added to the form (via cover
139 sheet or stamp) indicating to the court how the information on the form was obtained, thereby
140 allowing the creation of an oral record in open court confirming the form's content matches the
141 LEP person's intended meaning. Whenever possible, the court staff person transcribing onto the
142 form would not be the same staff person accepting the filing.

143
144 b. Engaging the court's contractor interpreter to assist the LEP person to complete the form by
145 writing a complete and accurate English translation of the LEP person's answers to form
146 questions. In this instance, a notation would be added to the form (via cover sheet or stamp)
147 indicating to the court how the information on the form was obtained thereby allowing the
148 creation of an oral record in open court confirming the form's content matches the LEP person's
149 intended meaning. Whenever possible, the staff interpreter translating information onto the form
150 would not be the same interpreter assisting the LEP person in court during a hearing.

151
152 c. Waiving the requirement that a form be filed, where appropriate. In this instance the LEP
153 person would be taken into the courtroom, sworn, and examined with the aid of an interpreter or
154 bilingual employee to create an oral record of what would otherwise have been filed in writing
155 via the form. If necessary, that record could then be transcribed verbatim into the corresponding
156 form fields. A notation would be added to the form (via cover sheet or stamp) indicating how the
157 information on it was obtained.

158
159 Such assistance will be rendered in a timely manner considering the urgency of the matter
160 and any associated deadlines.

161

162

163 **3. Court-ordered Services and Programs**

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165 The court also is responsible for taking reasonable steps to ensure that LEP individuals have
166 meaningful access to all court-ordered services and programs. Court-ordered services and
167 programs include but are not limited to conciliation, mediation, arbitration, treatment or
168 educational programs provided by a court employee or a private vendor under contract with the
169 court. Contracts with vendors that provide direct services to court users must include the
170 requirement that the vendor provide language services, including interpreters, for all LEP
171 individuals.

172

173 The court uses the following resources to facilitate communication with LEP individuals and
174 court staff or providers of court-ordered services:

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- 176 • Independent interpreter contractors for court hearings, mediation or conciliation events,

- 177 arbitration, and other meetings;
- 178 • Bilingual employees (to the extent possible);
- 179 • “I Speak” cards, to identify the individual’s primary language;
- 180 • Written information in Spanish on how to access and navigate the court’s resources;
- 181 • Multilingual directional signage throughout courthouse locations in Spanish;
- 182 • Telephonic interpreter services through the Language Line (offering multiple languages)
- 183 with the “court” service classification on local accounts.
- 184

185 To provide linguistically accessible services for LEP individuals, the Superior and Limited

186 Jurisdiction Courts of Gila County provide the following:

187

- 188 • Computer-based access, via public terminals in Globe, to Self-help center services that
- 189 include bilingual (Spanish) resources;
- 190 • Bilingual family court services mediators for custody and visitation matters or
- 191 dependency cases;
- 192 • The court’s website is available in Spanish by clicking the “version en Español” button at
- 193 the top of the site.
- 194 • Website link from the court’s website to the Supreme Court’s Spanish-translated
- 195 webpage for court forms and instructions;
- 196 • Website link from the court’s website to the Judicial Branch of Maricopa County’s El
- 197 Centro de Auto Servicio for additional information;
- 198 • Other language access related resources, such as the court’s current Language Access
- 199 Plan and complaint form and process are also available through the court’s website.
- 200

201 **C. Court Appointed or Supervised Personnel**

202

203 The Superior and Limited Jurisdiction Courts of Gila County also shall ensure that court

204 appointed or supervised personnel, including but not limited to child advocates, guardians ad

205 litem, court psychologists and doctors provide language services, including interpreters, as part

206 of their service delivery system to LEP individuals.

207

208 **D. Translated Forms and Documents**

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210 The Arizona courts understand the importance of translating forms and documents so that LEP

211 individuals have greater access to the courts’ services. The Superior and Limited Jurisdiction

212 Courts of Gila County currently access, employ, and / or link to forms and instructional materials

213 translated into Spanish.

214

- 215 • The court provides public access terminals with links to various vital documents
- 216 translated into Spanish (see below E.).
- 217 • The court also posts informative signage at public counters with web links to access court
- 218 websites with Spanish forms and information (see below E.).
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1. Sight Translation

The court will provide assistance so LEP persons may understand court-issued documents provided in English through sight translation or other reasonable means.

The court will exercise preference to employ a qualified court interpreter; in the event one is not available, or the document does not lend itself to sight translation, other reasonable means of ensuring meaningful access include, but are not limited to the following:

- a. Explanation of the contents of the document by a competent bilingual court employee;
- b. Engaging a remote interpreting service to relay a court staff member’s explanation of the document’s content;
- c. Submission of the document for a timely written translation, as appropriate.

E. Websites/Online Access

The court’s Internet website is accessible to LEP persons and will include, at a minimum:

- A notice about the availability of language services written in Spanish and posted on the home page.
- A hyperlink to Arizona Supreme Court’s Spanish-translated webpage at: <http://www.azcourts.gov/elcentrodeautoservicio/FormulariosdeAutoservicio.aspx>
- A hyperlink to the Judicial Branch of Maricopa County’s El Centro de Auto Servicio and its Spanish form repository at: <https://www.superiorcourt.maricopa.gov/Espanol/elCentroDeAutoServicio/index.asp>

IV. Court Staff and Volunteer Recruitment

A. Recruitment of Bilingual Staff for Language Access

The Superior Court and Limited Jurisdiction Courts of Gila County are equal opportunity employers and recruit and hire bilingual staff to serve their LEP constituents. Primary examples include but are not limited to:

- Interpreter contractors of the court.
- Bilingual staff (where available) to serve and assist at public counters or telephonically;

B. Recruitment of Volunteers for Language Access

The court also works with volunteers to assist with language access in the following areas:

- General bilingual assistance in Payson (when available) through the TIMEOUT SHELTER.

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266 **V. Judicial and Staff Training:**
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268 The Superior Court and Limited Jurisdiction Courts of Gila County are committed to providing
269 language access training opportunities for all judicial officers and staff members. Training and
270 learning opportunities currently offered will be expanded or continued as needed. Those
271 opportunities include:

- 272
- 273 • Diversity Training, as available;
- 274 • Cultural competency training, as available;
- 275 • Comprehensive LAP training with a refresher / support training schedule;
- 276 • A LAP component requirement in new employee orientation training; and,
- 277 • Judicial officer orientation on the use of court interpreters and language competency.
- 278 • AOC's Language Access in the Courtroom Training DVD;
- 279 • AOC's language access online training videos;
- 280

281 **VI. Public Outreach and Education**
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283 **A. General**
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285 The Superior Court and Limited Jurisdiction Courts of Gila County will monitor the need for
286 public outreach and education programs; such initiatives would be made available to LEP
287 persons as they are developed.

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289 **B. Videos, Webinars, On-line Classes, In-person Classes and Other Similar**
290 **Instructional Methods**
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292 New public-facing videos designed to assist litigants or the public more broadly shall be in
293 English and Spanish.

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295 Those videos, webinars, and instructional materials currently in existence which are deemed to
296 be "vital" shall be made available in Spanish.

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298 The court will determine whether any existing videos, webinars, and instructional materials
299 should be made available in languages other than English and Spanish by considering the
300 Department of Justice's four-factor analysis:

- 301
- 302 a. The number or proportion of LEP persons eligible to be served or likely to be
303 encountered by the program or grantee;
- 304 b. The frequency with which LEP individuals come in contact with the program;
- 305 c. The nature and importance of the program, activity, or service provided by the program
306 to people's lives; and
- 307 d. The resources available to the grantee / recipient or agency, and costs.

349 The plan may be changed or updated at any time but reviewed not less frequently than
350 biennially. At least every 2 years, the court's LAC will review the effectiveness of the court's
351 LAP and update it as necessary. The evaluation will include identification of any problem areas
352 and development of corrective action strategies.

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354 Elements of the evaluation will include:

- 355 • Number of LEP persons requesting 1) court interpreters; and / or 2) language assistance;
- 356 • Assessment of current language needs to determine if additional services or translated
357 materials should be provided;
- 358 • Assessment of whether court staff adequately understand LEP policies and procedures
359 and how to carry them out;
- 360 • Review of feedback from court employee training sessions and analysis of any additional
361 training needs, requests, or scheduling; and,
- 362 • Review any language access complaints received during this time period.

363
364 **C. Trial Court Language Access Plan Coordinator:**

365 Jon Bearup
366 Court Administrator
367 Arizona Superior Court of Gila County
368 1400 E. Ash St.
369 Globe, AZ 85501
370 (928) 402-8672
371 jbearup@courts.az.gov

372
373 **D. AOC Language Access Contact:**

374 David Svoboda
375 Court Services Division
376 Administrative Office of the Courts
377 1501 W. Washington Street, Suite 410
378 Phoenix, AZ 85007
379 (602) 452-3965, dsvoboda@courts.az.gov

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381 **E. LAP Effective date: July 1, 2017**

382
383 **F. Approved by:**

384
385 Presiding Judge: _____

Date: 2/28/17

386
387 Hon. Timothy M. Wright, Division II, Presiding

388
389 Court Executive Officer: _____

Date: 2/27/2017

390 Mr. Jon Bearup, Court Administrator