

DEWEY-HUMBOLDT MAGISTRATE COURT

Language Access Plan (LAP)

I. Legal Basis and Purpose

This document serves as the plan for the Dewey-Humboldt Magistrate Court 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 Dewey-Humboldt Magistrate Court.

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. Dewey-Humboldt Magistrate Court

The Dewey-Humboldt Magistrate Court is 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’s geographic area.

1. Spanish
2. Italian

45 This information is based on data collected from Dewey-Humboldt Magistrate Court’s internal
46 data and experience from the last 12 months.

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48 **III. Language Assistance Resources**

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

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

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54 In the Dewey-Humboldt Magistrate Court, court interpreters will be provided in all courtroom
55 proceedings at no cost to all LEP witnesses; litigants; victims; parents, guardians, and family
56 members of minor witnesses, victims, and/or litigants; as well as any other person whose
57 presence or participation is necessary or appropriate as determined by the judicial officer.

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

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63 **2. Determining the Need for an Interpreter in the Courtroom**

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65 The Dewey-Humboldt Magistrate Court may determine whether a court customer has limited
66 English proficiency. Identification of language needs at the earliest point of contact is highly
67 recommended. The need for a court interpreter may be identified prior to a court proceeding by
68 the LEP person or on the LEP person’s behalf by counter staff, self-help center staff, family
69 court services, or outside justice partners such as probation/parole officers, attorneys, social
70 workers or correctional facilities. Courts should have a documented process to identify LEP
71 needs for parties with notation in the physical or electronic case file.

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73 Signage throughout the court building indicating interpreter services are available may also help
74 to identify LEP individuals. The Dewey-Humboldt Magistrate Court will display this sign at the
75 following locations: front window.

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77 The need for an interpreter also may be made known in the courtroom at the time of the
78 proceeding. In a case where the court is mandated to provide an interpreter, but one is not
79 available at the time of the proceeding, even after the court has made all reasonable efforts to
80 locate one, as previously outlined in this plan, the case will be postponed and continued on a date
81 when an interpreter can be provided.

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83 **3. AOC Interpretation Resources**

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85 Court Interpreter Registry and Listserv

86 The AOC maintains a statewide roster of individuals who indicate they have interpreting
87 experience and have expressed interest in working in the courts. The court using interpreting
88 services will determine the competence of the persons listed. This roster is available to court

89 staff on the Internet at <http://www.interpreters.courts.az.gov>.

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91 Additionally, AOC created a statewide listserv to allow courts to communicate via email on
92 court interpreter-related matters. The listserv is an excellent resource to locate referrals for
93 specific language needs. Access codes and instructions to join the listserv, may be obtained from
94 the AOC language access contact person.

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96 Video Remote Interpreting

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

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

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105 The Dewey-Humboldt Magistrate Court is also responsible for taking reasonable steps to ensure
106 that LEP individuals have meaningful access to all court services and programs outside the
107 courtroom. Court services and programs include but are not limited to self-help centers, clerk
108 offices, intake officers, cashiers, and records room.

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110 **1. Assistance to Understand Court Procedures and Policies**

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112 Services offered by the court generally to English-speaking customers pursuant to the
113 Employee Code of Conduct (ACJA §1-303) must also be provided to LEP litigants in their
114 language.

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116 **2. Assistance to Fill-out Court Forms and Pleadings**

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118 The Dewey-Humboldt Magistrate Court will assist in the filling-out of court forms for
119 those LEP court customers who are unable to do so either by themselves or with the
120 assistance of another competent adult proficient in English and able to render assistance in
121 a timely manner.

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

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125 The court also is responsible for taking reasonable steps to ensure that LEP individuals have
126 meaningful access to all court-ordered services and programs. Court-ordered services and
127 program include but is not limited to conciliation, mediation, arbitration, treatment or
128 educational programs provided by a court employee or a private vendor under contract with the
129 court. Contracts with vendors that provide direct services to court users must include the
130 requirement that the vendor provide language services, including interpreters, for all LEP
131 individuals.

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133 The court uses the following resources to facilitate communication with LEP individuals and
134 court staff or providers of court-ordered services:
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- 137 • Yavapai County Superior Court interpreters through an IGA;
- 138 • Telephonic interpreter services through Lionbridge on an as-needed basis;
- 139 • “I Speak” cards, to identify the individual’s primary language;
- 140 • Multilingual signage at front window in the following languages: Spanish;
- 141 • Staff who have some knowledge of the Spanish language but need help with court
142 terminology may consult the following glossary sources:
 - 143 a. Spanish/English glossary on the AOC Self-Help Web site
144 http://ajinweb/ctserv/cmu/CMU_CourtInterpreter.htm
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146 To provide linguistically accessible services for LEP individuals, the Dewey-Humboldt
147 Magistrate Court provides the following:

- 148 • Yavapai Superior Court Website has Spanish instructions on how to navigate to self-help
149 center services and may be directed to Maricopa County Self-Service Center or
150 Administrative Office of the Courts website to receive court information in Spanish.
151 <http://www.superiorcourt.maricopa.gov/Espanol/index.asp>
152 <http://www.azcourts.gov/elcentrodeautoservicio>
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154 **C. Court Appointed or Supervised Personnel** 155

156 The Dewey-Humboldt Magistrate Court also shall ensure that court appointed or supervised
157 personnel, including but not limited to child advocates, guardians ad litem, court psychologists
158 and doctors provide language services, including interpreters as part of their service delivery
159 system to LEP individuals.
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161 **D. Translated Forms and Documents** 162

- 163 • The court has translated various documents into other languages: Protective
164 Orders, Life Skills Referral, and Misdemeanor Release Order.
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- 166 • These documents will be located at Dewey-Humboldt Magistrate Court
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- 168 • Administrative Office of the Courts and Maricopa Superior Court provide forms
169 online at the following links:
170 <http://www.superiorcourt.maricopa.gov/Espanol/index.asp>
171 <http://www.azcourts.gov/elcentrodeautoservicio>
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173 **1. Sight Translation** 174

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

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E. Website/Online Access

The Dewey-Humboldt Magistrate Court has a page on the Town’s website (www.dhaz.gov) which is accessible to LEP persons and includes:

- A notice about the availability of language services written in Spanish and posted on the Court page.

- A hyperlink to: Arizona Supreme Court’s Spanish-translated webpage at <http://www.azcourts.gov/elcentrodeautoservicio/FormulariosdeAutoservicio.aspx>.

IV. Court Staff and Volunteer Recruitment

A. Recruitment of Bilingual Staff for Language Access

The Dewey-Humboldt Magistrate Court is an equal opportunity employer and recruits and hires bilingual staff to serve its LEP constituents.

B. Recruitment of Volunteers for Language Access

The Dewey-Humboldt Magistrate Court is an equal opportunity employer and recruits and hires bilingual volunteers to serve its LEP constituents.

V. Judicial and Staff Training:

The Dewey-Humboldt Magistrate Court is committed to providing language access training opportunities for all judicial officers and staff members. Training and learning opportunities currently offered will be expanded or continued as needed. Those opportunities include:

- Interpreter coordinator training;
- Diversity Training;
- Cultural competency training;
- LAP training;
- New employee orientation training; and,
- Judicial officer orientation on the use of court interpreters and language competency.
- AOC’s Language Access in the Courtroom Training DVD
- AOC’s Language Access Online Training Videos

VI. Public Outreach and Education

A. General

221 To communicate with the court’s LEP constituents on various legal issues of importance to the
222 community and to make them aware of services available to all language speakers, the Dewey-
223 Humboldt Magistrate Court will monitor the need and provide community outreach and
224 education as they are developed and seek input from its LEP constituency to further improve
225 services.

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227 **B. Videos, Webinars, On-line Classes, In-person Classes and Other Similar**
228 **Instructional Methods**

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230 New public-facing videos designed to assist litigants or the public more broadly shall be in
231 English and Spanish.

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233 Those videos, webinars, and instructional materials currently in existence which are deemed to
234 be “vital” shall be made available in Spanish.

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236 The court will determine whether any existing videos, webinars, and instructional materials
237 should be made available in languages other than English and Spanish by considering the
238 Department of Justice’s four-factor analysis.

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240 **VII. Formal Complaint Process**

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242 If an LEP court customer believes meaningful access to the courts was not provided to them,
243 they may choose to file a complaint with the trial court’s Language Access Plan Coordinator.
244 The court has a complaint process which includes the following information:

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- 246 • The court will respond to any complaint within 30 days and the records will be
maintained as public records.
- 247 • The customer may file the complaint with the Language Access Plan Coordinator.
- 248 • The court has attached the complaint form (English/Spanish) to the LAP. In the
249 alternative, the complaint forms may be located at www.dhaz.gov.
- 250 • The court will ensure that translated versions of the complaint form are available in
251 multiple locations, including, but not limited to:
 - 252 ○ Hard copy forms available at the front window.
 - 253 ○ Forms posted on the court’s website

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255 **VIII. Public Notification and Evaluation of LAP**

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257 **A. LAP Approval and Notification**

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259 The Dewey-Humboldt Magistrate Court’s LAP is approved by the presiding judge and the court
260 administrator. Upon approval, a copy will be forwarded to the AOC Court Services Division.
261 Any revisions to the plan will be submitted to the presiding judge and court administrator, and
262 then forwarded to the AOC. Copies of Dewey-Humboldt Magistrate Court’s LAP will be
263 provided to the public on request and is also available on the Dewey-Humboldt website.

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