

Ajo Justice Court Language Access Plan (LAP)

I. Legal Basis and Purpose

This document serves as the plan for the Pima County Ajo Justice 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 Pima County Ajo Justice 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 2012):

1. Spanish
2. Tohono O’odham (for Ajo Justice Court)
3. Navajo
4. Chinese
5. Vietnamese

B. Pima County Ajo Justice Court

The Pima County Ajo Justice Court is responsible for providing services identified in this plan to all LEP persons. The foreign language most frequently used in this Court’s geographic area is Spanish at this time.

This information is based on data collected between January 2013 and January 2015 from the Court’s interpreter usage statistics.

III. Language Assistance Resources

A. Interpreters used in the courtroom

1. Providing Interpreters in the Courtroom

In the Pima County Ajo Justice Court, interpreters will be provided in all courtroom proceedings at no cost to all LEP Court customers, including witnesses, victims and parents, guardians, and family members of minors as well as any other person whose presence or participation is necessary or appropriate as determined by the judicial officer.

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

2. Determining the need for an interpreter in the courtroom

The Ajo Justice Court may determine whether a Court customer has limited English proficiency. Identification of language needs at the earliest point of contact is highly recommended.

The need for a Court interpreter may be identified prior to a Court proceeding by the LEP person or on the LEP person's behalf by counter staff, or outside justice partners such as probation officers, attorneys, social workers or correctional facilities. The Court has a documented process that identifies LEP needs for parties with notation in the physical or electronic case file.

Signage throughout the Court building indicating interpreter services are available may also help to identify LEP individuals. The Ajo Justice Court will display this sign in the front lobby of the courthouse.

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

3. AOC Interpretation Resources

Court Interpreter Registry and Listserv

The Arizona Supreme Court, Administrative Office of the Courts (AOC) maintains a statewide roster of individuals who have interpreting experience and have expressed interest in working in the courts. The court using interpreter services will determine the competence of the persons listed. This roster is available to court staff on the internet at <http://www.interpreters.courts.az.gov>.

Additionally, AOC created a statewide listserv to allow courts to communicate via email on court interpreter-related matters. The listserv will be used to locate referrals for specific language needs. Access codes and instructions to join the listserv may be obtained from the AOC Language Access contact person.

Video Remote Interpreting (VRI)

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

B. Language Services Outside the Courtroom

The Pima County Ajo Justice Court is also responsible for taking reasonable steps to ensure that LEP individuals have meaningful access to all court services and programs provided outside the courtroom. Court services and programs include but are not limited to self-help centers, clerk offices, intake officers, cashiers, and records room.

The Court also is responsible for taking reasonable steps to ensure that LEP individuals have meaningful access to all Court-ordered services and programs. Court-ordered services and program include but is not

limited to conciliation, mediation, arbitration, treatment or educational programs provided by a Court employee or a private vendor under contract with the Court. Contracts with vendors that provide direct services to Court users must include the requirement that the vendor provide language services, including interpreters, for all LEP individuals.

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

- Staff Court interpreters and independent interpreter contractors.
- Bilingual employees qualified as Language Access Support Specialists.
- Ajo Justice Court has developed an internal phone list of bilingual employees who may provide assistance to LEP customers when necessary and when no staff person is available to provide that assistance in person.
- Video remote interpreting services.
- Multilingual signage throughout the courthouse in Spanish, English and Tohono O’odham
- When staff does not know what language a customer is speaking, they use “I speak” cards, to identify the individual’s primary language. The cards are available in many languages.
- For face-to-face encounters, as well as telephone conversations, Ajo Justice Court uses the Language Line Services when on-site interpreters are not available.
- The Court has a dedicated public phone line with key instructions provided in Spanish to request Court services.
- Ajo Justice Court public website contains key information translated into Spanish.
- Certain forms and instructional packets translated into Spanish (bilingual form when possible) are available on the court’s website and in the courthouse.
- The terms of Court’s contracts with providers of court-ordered services.

To provide linguistically accessible services for LEP individuals, the Ajo Justice Court provides the following:

- Written informational and educational materials and instructions in Spanish.
- Website link from Court’s website to the Supreme Court’s Spanish translated webpage for court forms and instructions.
- Ajo Justice Court’s Language Access Plan and complaint form and process available in the Court’s website.

C. Court appointed or supervised personnel

The Ajo Justice Court also shall ensure that Court-appointed or Court-supervised personnel, including but not limited to child advocates, guardians ad litem, court psychologists and doctors provide language services, including interpreters as part of their service delivery system to LEP individuals.

D. Translated forms and documents

The Arizona courts understand the importance of translating forms and documents so that LEP individuals have greater access to the courts’ services. The Ajo Justice Court currently uses forms and instructional materials translated into Spanish.

The Court has translated several documents into Spanish, including but not limited to the following:

- Payment contracts
- Emergency eviction resource list for tenants
- Protective Orders information
- Criminal Procedures steps information for defendants
- Notice of Right to Appeal for Defendants
- Criminal and Traffic motions

Please check the list of forms in the court’s website: www.pima.gov/jcajo

The Arizona Supreme Court also has forms translated into other languages, please visit:
<http://www.azcourts.gov/elcentrodeautoservicio/Hom.aspx>

E. Website/Online access

The Ajo Justice Court website offers information in Spanish. Please visit the court’s website at www.pima.gov/jcajo

Interpreters at Court hearings provide sight translations of court documents and correspondence associated with the case as ordered by the Court.

IV. Court Staff Recruitment and Volunteer Recruitment

A. Recruitment of Bilingual Staff for Language Access

The Ajo Justice Court is an equal opportunity employer and recruits and hires bilingual staff to serve its LEP constituents. Primary examples include but are not limited to:

- Court interpreter staff as permanent employee of the court;
- Bilingual staff to serve at the public counter and to answer telephone calls; and
- Other bilingual staff available to assist with contacts from LEP individuals, as needed.

B. Recruitment of volunteers for Language Access

The Court may also recruit and use volunteers to assist with language access in the following areas:

- At information counter to provide interpretive services between staff and the LEP public.

V. Judicial and Staff Training

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

- a. Interpreter coordinator training;
- b. Diversity Training;
- c. Cultural competency training;
- d. All staff are instructed about LAP policies and procedures, as described in this LAP, on an annual basis;
- e. Frontline staff will meet annually to identify changing language needs and discuss ways to improve services;
- f. Staff attendance in Spanish and training, provided by the Court in partnership with local colleges and institutions to offer these classes on site and free to employees on court time, or through tuition reimbursement;

- g. New employee orientation training; and,
- h. Judicial officer orientation on the use of Court interpreters and language competency;
- i. AOC's Language Access in the Courtroom Training DVD;
- j. AOC's Language Access online training videos.

VI Public Outreach and Education

To communicate with the Court's LEP constituents on various legal issues of importance to the community and to make them aware of services available to all language speakers, the Ajo Justice Court provides community outreach and education and seeks input from its LEP constituency to further improve services. Outreach and education efforts include:

- Public service announcements through the local newspaper regarding the Court's accessibility and services provided. These public service announcements include the availability of Spanish speaking staff at the courthouse free of charge.
- Partnership and collaborations with community groups (English, Spanish and Tohono O'odham Nation) are made to provide a court presence in the LEP community.
- The need for further public outreach and education will be reviewed annually and modified as needed.
- Bilingual Public notices and news releases

The Court will solicit input from the LEP community and its representatives through meetings and will seek to inform community service organizations on how LEP individuals can access court services.

VII Formal Complaint Process

If an LEP court customer believes meaningful access to the courts was not provided to him/her, he/she may choose to file a complaint with the trial court's Language Access Plan Coordinator. Complaint forms are available at the front counter and on the Ajo Justice Court's webpage.

The following procedure may be followed to register a complaint:

1. The person with the complaint (the complainant) should contact the Ajo Justice Court Language Access Coordinator to report the complaint by completing and submitting the Language Access Complaint form attached here. The form is also found in the forms tab of the Court's website: www.pima.gov/jcajo or, <http://www.azcourts.gov/selfservicecenter/SelfServiceForms.aspx#ComplaintForm>

Language Access Coordinator's contact information:

Ajo Justice Court

111 La Mina Avenue

Ajo, AZ 85321

Telephone: 520-387-7684

Fax: 520-387-7684.

2. If the complainant does not believe that their concerns have been adequately addressed or resolved within 30 days with the Ajo Justice Court Language Access Coordinator, the complainant should contact Language Access contact at the Administrative Office of the Courts (AOC):

Amy Wood

Court Services Division

Administrative Office of the Courts

1501 W Jefferson Street, Suite 410

Phoenix, Arizona 85007

Telephone: (602) 452-3337

E-mail: awood@courts.az.gov

The complainant may also, at any time in this process, contact the United States Department of Justice.

Contact information:

Federal Coordination and Compliance Section

Civil Rights Division

United States Department of Justice

950 Pennsylvania Avenue NW

Washington, D.C. 20530

Telephone: (888) 848-5306 or (202) 307-2678 (TDD)

VIII Public Notification and Evaluation of LAP

A. LAP approval and notification

The Pima County Ajo Justice Court's LAP is approved by the presiding judge and court administrator. Upon approval, a copy will be forwarded to the AOC Court Services Division. Any revisions to the plan will be submitted to the presiding judge and court administrator for approval, and then forwarded to the AOC. Copies of Pima County Ajo Justice Court's LAP will be provided to the public upon request. In addition, the court will post this plan on its public website.

B. Evaluation of the LAP

The Pima County Ajo Justice Court will routinely assess whether changes to the LAP are needed. The plan may be changed or updated at any time but reviewed not less frequently than biennially. Every two years, unless updates are mandated, the Court Administrator and the LAP Coordinator will review the effectiveness of the court's LAP and update it as necessary. The evaluation will include identification of any problem areas and development of corrective action strategies. From time to time, the court may consider using a survey sampling of data collection for a limited time period which involves assessing language access requests to assist in the evaluation of the LAP.

Elements of the evaluation will include:

- Number of LEP persons requesting court interpreters and/or language assistance;
- Assessment of current language needs to determine if additional services or translated materials should be provided;
- Solicitation and review of feedback from LEP communities within the county;
- Assessment of whether court staff adequately understand LEP policies and procedures and how to carry them out;
- Review of feedback from court employee training sessions; and,
- Customer satisfaction feedback as indicated on the access and fairness survey, if administered by the court during this time period.
- Review any language access complaints received during this time period.

C. Trial Court Language Access Plan Coordinator:

Vilma Weigand, Court Interpreter with Administrative Duties

Pima County Ajo Justice Court

111 La Mina Avenue

Ajo, AZ 85321

D. AOC Language Access Contact:

Amy Wood

Court Services Division

Administrative Office of the Courts

1501 W Washington Street, Suite 410

Phoenix, AZ 85007

(602) 452-3337, awood@courts.az.gov

E. LAP effective date: July 15, 2015

F. Approved by

Pima County Ajo Justice Court Presiding Judge John T. Peck

Ajo Justice Court Administrator: Yvette Montijo

Date: July 15, 2015

Date: July 15, 2015

Language Access to Court Services Complaint Form

The Court may be required to provide interpreters at no cost for court users, including litigants, victims, and witnesses who do not speak English as their primary language and who have a limited ability to read, speak, write or understand English. If you believe you have not been provided effective language assistance for any court or probation proceeding or other service provided by the court, please complete this form and return it to:

**Ajo Justice Court
111 La Mina Avenue
Ajo, Arizona 85321**

The submission of a complaint will NOT affect the outcome of any court matter.

The Court will address your concerns within a reasonable time not exceeding 30 days after submission of this form.

THIS FORM IS AVAILABLE IN OTHER LANGUAGES UPON REQUEST.

PLEASE COMPLETE:

Today's date: _____

First name: _____

Last name: _____

Address: _____

City/State/Zip: _____

Home telephone: (____) _____ - _____

Mobile phone: (____) _____ - _____

E-mail address: _____

Primary language: _____

Date of incident: _____

What problem did you have with language assistance?

- The Court did not provide an interpreter
- The interpreter did not interpret correctly or did not speak my language
- Other – please describe:

Section 601 of Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d states that "No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.