

Superior and Limited Jurisdiction Court Policy
Mohave County
Title: 4.03 Language Access Plan (LAP)

I. Legal Basis and Purpose

This document serves as the policy / plan for the Courts of Mohave County, including the Probation Department, to provide 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 Courts of Mohave County.

This Language Access Plan (LAP) was developed to ensure meaningful access to court and probation 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.

A. Definitions

1. Limited English Proficient (LEP) Individuals – Individuals who do not speak English as their primary language and who have a limited ability to read, write, speak, or understand English.
2. Meaningful Access – Language assistance that results in accurate, timely, and effective communication at no cost to the LEP individual. Access to information that is similar or comparable to that provided to English proficient individuals.
3. Sight Translation – Oral rendering of written text into spoken language by an interpreter without change in meaning based on a visual review of the original text or document.

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 Census report dated April 2013):

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

B. Courts of Mohave County

The Courts of Mohave County will make every effort to provide services to all LEP persons. The following list shows the foreign languages that are most frequently used in the court's geographic area.

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

This information is based on data collected from the Limited Jurisdiction Courts and Superior Court Administration.

III. Language Assistance Resources

A. Interpreters Used in the Courtroom

1. Providing Interpreters in the Courtroom

In the Courts of Mohave County, interpreters will be provided at no cost to all LEP court customers (including witnesses, victims, parents/guardians and family members of minors) who need assistance and any other person as determined by the judicial officer who needs such assistance in all courtroom proceedings. This includes all court services, probation services and all mandatory programs.

The Superior Court also has available a remote video interpretation system in Courtroom B as part of the ongoing efforts to improve service to LEP customers. Efforts to expand this service or similar services to other courtrooms is planned in the coming years.

2. Determining the Need for an Interpreter in the Courtroom

The Courts of Mohave County may determine whether an LEP court customer needs an interpreter for a court hearing in various ways. Efforts are made to identify language needs at the earliest point of contact with the Court.

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 court staff, or outside justice partners such as probation/parole officers, attorneys, social workers or correctional facilities.

Signage throughout the court building(s) indicating interpreter services are available may also help to identify LEP individuals. The Courts have made signs available near entry points into the court, near public counters and in common waiting areas.

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

3. Court Interpreter Registry

The AOC maintains a statewide roster of individuals who indicate they have interpreting experience and have expressed interest in working in the courts. This roster is available to court staff on the Internet at <http://www.interpreters.courts.az.gov>. Additionally, the Superior Court of Mohave County is a member of and utilizes the statewide listserv as a resource. The Court also maintains a list of local interpreters and that information is available by contacting court administration at extension 4391.

B. Language Services Outside the Courtroom

The Courts of Mohave County are also responsible for taking reasonable steps to ensure that LEP individuals have meaningful access to services outside the courtroom, including routine contact with court personnel and in situations where LEP litigants are ordered to attend mediation, or a treatment or educational program provided by a court employee or by a private vendor under contract with the Court.

To facilitate communication between LEP individuals and court staff, the Courts of Mohave County use the following resources:

- Independent interpreter contractors;
- Bilingual employees;
- Bilingual volunteers;
- "I Speak" cards, to identify the individual's primary language;
- Multilingual signage throughout courthouse locations;
- Forms translated into Spanish and other languages on the Court's webpage;
- Telephonic / video interpreter services, (from contract interpreters or an agency);
- Video remote interpreting services.
- Links from the Court's website to the Supreme Courts Spanish translated webpage.

C. Translated Forms and Documents

The Courts of Mohave County understand the importance of translating forms and documents so that LEP individuals have greater access to the Court's services. Currently the Court has provided a link on its webpage, www.mohavecourts.az.gov that links individuals to forms available in Spanish on the AOC webpage and also to forms available on the Maricopa Superior Court webpage. The Court also has general information for LEP individuals on its webpage and information can be obtained at the law library regarding translation services. Additional services include:

- The Court continues to work with staff from the AOC to expand the number of available forms in both the general and limited jurisdiction courts.
- Interpreters at court hearings are expected to provide sight translations of court documents and correspondence associated with the case.

PLEASE NOTE – While the Court will provide assistance to LEP individuals who need help reviewing forms – it is required that all documents and forms submitted to the Court are written in English.

IV. Court and Probation Staff Recruitment

The Courts of Mohave County are an equal opportunity employer and recruits and hires bilingual staff to help serve its LEP constituents in all areas of court operations.

V. Judicial and Staff Training

The Courts of Mohave County are committed to providing language access training opportunities for all judicial officers and staff members. Staff will be trained so they know how and when to access language assistance services. Training and learning opportunities currently offered will be expanded or continued as needed. Those opportunities include:

- Diversity training;
- Cultural competency training;
- Language Access in our Courts training for all staff;
- New employee orientation training;
- Judicial officer orientation on the use of court interpreters and language competency;
- AOC's Language Access in the Courtroom Training DVD; and
- 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 Courts of Mohave County provides community outreach and education and seeks input from its LEP constituency to further improve services. Outreach and education efforts include some or all of the following:

- Partnerships and collaborations with the local Bar association, the Community Legal Services office and the Criminal Justice Coordinating Council. The Court will solicit input from the LEP community and its representatives through outreach 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, whether a party, victim or witness believes meaningful access to the courts was not provided to them, they may choose to file a complaint with the Superior Court Administration office. See attached complaint form.

- Responses to complaints will be handled within 15 working days and records will be maintained as public documents.

VIII. Public Notification and Evaluation of LAP plan

A. LAP plan Approval and Notification

The Court's LAP is subject to approval by the Presiding Judge of the Superior Court. 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 the Court's LAP plan will be provided to the public on request and is posted on the Court's webpage.

B. Annual Evaluation of the LAP plan

The Courts of Mohave County will annually assess whether changes to the LAP are needed. Court administration 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. Elements of the evaluation will include:

- Number of LEP persons requesting court interpreters or language assistance, the languages requested and how the court met the request;
- Assessment of current language needs to determine if additional services or translated materials should be provided;
- Assessment of whether court staff adequately understand LAP policies and procedures and how to carry them out;
- Review of feedback from court employee training sessions; and,
- Customer satisfaction feedback.

C. Mohave County Courts Language Access Plan Coordinator:

Kip Anderson, Court Administrator
Mohave County Superior Court
401 E. Spring Street
P.O. Box 7000
Kingman, Arizona 86402
(928) 753-0790 x4150

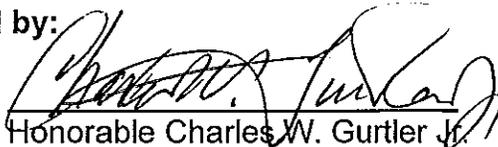
D. AOC Language Access Contact:

Amy Wood, Manager
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 Revised Effective date: 10/30/2015

F. Approved by:

Presiding Judge:


Honorable Charles W. Gurtler Jr.

Date:

10/30/15

Superior Court of Arizona, Mohave County

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: 401 East Spring Street, P.O. Box 7000 Kingman, AZ 86402

*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: (_____) _____ - _____

Email 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 602 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."

FORMULARIO DE QUEJA
Servicios de Traducción e Interpretación

Para garantizar la participación en las diligencias y los servicios judiciales, se le proveerá un intérprete sin costo alguno a las personas tales como litigantes, víctimas, ofendidos y testigos que no hablen el inglés como idioma principal o a aquellos que no sepan escribir, leer, entender o hablar el inglés. Si Ud. cree que no le han facilitado servicios de interpretación en el tribunal, o para gozar de los servicios de régimen a prueba, por favor, llene este formulario y envíelo a: 401 East Spring Street, P.O. Box 7000 Kingman, AZ 86402

*Ninguna causa pendiente se verá afectada por haber sometido una queja.
Este tribunal tratará de abordar su queja en un plazo de 30 días después de haberla sometido.*

PUEDE OBTENER ESTE FORMULARIO EN OTROS IDIOMAS SI LO SOLICITA

LLENE LOS ESPACIOS EN BLANCO:

Fecha: _____

Nombre: _____

Apellido(s): _____

Dirección: _____

Ciudad/Estado/C.P.: _____ / _____ / _____

Teléfono: (_____) _____ - _____

Celular: (_____) _____ - _____

Correo electrónico: _____

Idioma principal: _____

¿En qué fecha sucedió el incidente? _____

Explique cuál fue el problema:

- El tribunal no me proporcionó un intérprete
- El intérprete no interpretó de manera adecuada o no hablaba mi idioma.
- Otro motivo; anote los detalles:

La fracción 601 del Título VI de la Ley de Derechos Civiles de 1964, 42 U.S.C. 2000d reza lo siguiente: "A ninguna persona presente en los Estados Unidos se le privará del derecho de participar, ni se le negarán beneficios, ni estará sujeta a la discriminación debido a su raza, etnia u origen, de ningún programa o actividad que reciba fondos federales."