

1 **Superior Court of Gila County**

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3 **Language Access Plan (LAP)**

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6 **I. Legal Basis and Purpose**

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8 This document serves as the plan for the Arizona Superior Court of Gila County, and the Limited
9 Jurisdiction Courts of Gila County, to provide to persons with limited English proficiency (LEP)
10 services that are in compliance with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et
11 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
12 provide a framework for the provision of timely and reasonable language assistance to LEP
13 persons who come in contact with the Superior and Limited Jurisdiction Courts of Gila County.

14
15 This language access plan (LAP) was developed to ensure meaningful access to court services
16 for persons with limited English proficiency. Although court interpreters are provided for
17 persons with a hearing loss, access services for them are covered under the Americans with
18 Disabilities Act rather than Title VI of the Civil Rights Act, and therefore will not be addressed
19 in this plan.

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21 **II. Needs Assessment**

22 **A. Statewide**

23 The State of Arizona provides court services to a wide range of people, including those who
24 speak limited or no English. From a statewide perspective, the following languages were listed
25 with the greatest number of speakers who spoke English less than “Very Well” in Arizona
26 (according to the American Community Survey estimate report from the U.S. Census Bureau
27 dated April 2012):

- 28
29 1. Spanish
30 2. Navajo
31 3. Chinese
32 4. Vietnamese

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

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36 The Superior Court and Limited Jurisdiction Courts of Gila County will make every effort to
37 provide services to all LEP persons. However, the following list shows the foreign languages
38 that are most frequently used in this court’s geographic area.

- 39
40 1. Spanish
41 2. Apache
42 3. Arabic
43 4. Serbo-Croatian
44 5. Russian

45 This information is based on data collected from United States Census Bureau data for Gila
46 County, Arizona.

47
48 **III. Language Assistance Resources**

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

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

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52 In the Superior Court and the Limited Jurisdiction Courts of Gila County, interpreters will be
53 provided at no cost to LEP court customers (including witnesses, victims and parents or
54 guardians) who need such assistance in all courtroom proceedings.

55
56 It is the responsibility of the private attorney, Public Defender or County Attorney to provide
57 qualified interpretation and translation services for witness interviews, pre-trial transcriptions
58 and translations and attorney/client communications during out of court proceedings.

59
60 Such interpretive services will be primarily provided by a professional vendor / contractor; in the
61 event such a vendor is not available, the Language Line will be utilized and an account has been
62 established. Instructions for use, and account codes, for the Language Line have been distributed
63 to all courts and probation offices, including satellite locations.

64
65 **2. Determining the Need for an Interpreter in the Courtroom**

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67 The Superior Court and Limited Jurisdiction Courts of Gila County may determine whether an
68 LEP court customer needs an interpreter for a court hearing in various ways.

69
70 The need for a court interpreter may be identified prior to a court proceeding by the LEP person
71 or on the LEP person's behalf by counter staff, the family court services mediator, or outside
72 justice partners such as probation officers, attorneys, social workers, detention facilities and law
73 enforcement personnel.

74
75 Courts should have a documented process to identify LEP needs for parties with notation in the
76 physical or electronic case file. Event notes on the Gila County Superior Court calendar routinely
77 identify the cases requiring an interpreter. Additionally, such record is often made on minute
78 entries from previous hearings, when the Court specifically identifies the need for an interpreter
79 at the next hearing.

80
81 Signage throughout the court building indicating interpreter services are available may also help
82 to identify LEP individuals. The Superior Court and Limited Jurisdiction Courts of Gila County
83 will display this signage 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.

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 will determine the
95 competence of the persons listed. This roster is available to court staff on the Internet at
96 <http://www.interpreters.courts.az.gov>.
97

98
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. If your court needs access codes or instructions to join the listserv,
102 please contact Carol Mitchell at 602.452.3965.

103 Video Remote Interpreting

104 The AOC has installed video conferencing equipment at the State Courts building that will allow
105 courts with *compatible technology* to remotely conference an interpreter from the Phoenix metro
106 area out to their court to improve resource allocation and reduce time and costs associated with
107 interpreter travel.
108

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

110
111 The Superior Court and Limited Jurisdiction Courts of Gila County are also responsible for
112 taking reasonable steps to ensure that LEP individuals have meaningful access to services
113 provided by the court outside the courtroom, including routine contact with court personnel and
114 in situations where LEP litigants are ordered to attend mediation, or treatment, or educational
115 programs provided by a court employee or by a private vendor under contract with the court.
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117 The court uses the following resources to facilitate communication with LEP individuals and
118 court staff or providers of court-ordered services:
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- 120
- 121 • Independent interpreter-vendors, available for court hearings, mediations, and other
- 122 meetings;
- 123 • Bilingual employees (to the extent possible);
- 124 • “I Speak” cards, to identify the individual’s primary language;
- 125 • Written information in Spanish on how to access and navigate the court’s resources;
- 126 • Multilingual signage throughout courthouse locations in Spanish;
- 127 • Telephonic interpreter services via Language Line (multiple languages);
- 128

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

130 Jurisdiction Courts of Gila County provide the following:

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- 132 • Computer-based access to Self-help center services that include bilingual (Spanish)
- 133 resources;
- 134 • A “version en español” button that translates the entire content of the Gila County
- 135 Government website into Spanish, including those individual websites relating to the
- 136 various Gila County Superior and Limited Jurisdiction courts;
- 137 • Interpreters for bilingual family court services, such as mediation, regarding custody and
- 138 visitation and / or dependency;
- 139 • Written informational and educational materials with instructions in Spanish; and
- 140 • A website link from court’s website to the Supreme Court’s Spanish translated webpage
- 141 for court forms and instructions.

142

143 **C. Translated Forms and Documents**

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145 The Arizona courts understand the importance of translating forms and documents so that LEP
146 individuals have greater access to the courts’ services. The Superior Court and Limited
147 Jurisdiction Courts of Gila County currently provide access to forms and instructional materials
148 translated into Spanish.

149

- 150 • Computer access is provided to the Arizona Supreme Court’s Spanish webpage at
- 151 <http://www.azcourts.gov/elcentrodeautoservicio/FormulariosdeAutoservicio.aspx>;
- 152 • Instructions for utilization of these resources is readily accessible for LEP individuals at
- 153 public service counters in all Gila County courts;
- 154 • A computer / printer workstation has been set-up within the Gila County Law Library for
- 155 public use. Laminated instructions, in Spanish, have been attached to this workstation;
- 156 • Gila County Law Library – 1st Floor
- 157 1400 E. Ash St.
- 158 Globe, AZ 85501

159

160 Interpreters at court hearings are expected to provide sight translation of court documents and
161 correspondence associated with the case.

162

163 **IV. Court Staff and Volunteer Recruitment**

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A. Recruitment of Bilingual Staff for Language Access

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

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- 169 • Court interpreter / Bailiff to serve as a permanent employee of the Superior Court;
- 170 • Interpreter contractors of the court;

- 171 • Bilingual staff available to serve and assist at public counters;

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173 **B. Recruitment of Volunteers for Language Access**

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

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- 176 • At public counters to provide interpretive services between staff and the LEP public;

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178 **V. Judicial and Staff Training**

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180 The Superior Court and Limited Jurisdiction Courts of Gila County are committed to providing
181 language access training opportunities for all judicial officers and staff members. Training and
182 learning opportunities currently offered will be expanded or continued as needed. Those
183 opportunities include:

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- 185 • Diversity Training session;
- 186 • Cultural competency training;
- 187 • LAP training, to be conducted annually at the Gila County Judicial Staff Conference;
- 188 such training to consist of AOC's Language Access in the Courtroom Training and
- 189 coverage / review of the current Language Access Plan

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191 **VI. Public Outreach and Education**

192 The Superior Court and Limited Jurisdiction Courts of Gila County are researching this topic
193 with a view to include such items as the translation of public service announcements and media
194 releases into Spanish and Apache, if and when such circumstances dictate the need.

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196 **VII. Formal Complaint Process**

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198 If an LEP court customer believes meaningful access to the courts was not provided to them,
199 they may choose to file a complaint with the Gila County Superior Court Administrator. The
200 Complaint Form is available through the Gila County Website and is available at each Court.
201 Instructions for completion are included in the Complaint Form.

202

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

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205 **A. LAP Approval and Notification**

206 The Superior Court and Limited Jurisdiction Courts of Gila County's LAP is approved by the
207 presiding judge and court executive officer. Upon approval, please forward a copy to the AOC
208 Court Services Division. Any revisions to the plan will be submitted to the presiding judge and
209 court executive officer for approval, and then forwarded to the AOC. Copies of Gila County's
210 LAP will be provided to the public on request. In addition, the court will post this plan on its

211 public Web site.

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213 **B. Evaluation of the LAP**

214 The Superior Court and Limited Jurisdiction Courts of Gila County will routinely assess whether
215 changes to the LAP are needed. The plan may be changed or updated at any time but reviewed
216 not less frequently than once a year.

217

218 Each year the court's Deputy Court Administrator will solicit the input of constituent courts to
219 review the effectiveness of the court's LAP and update it as necessary. The evaluation will
220 include identification of any problem areas and development of corrective action strategies.
221 From time to time, the court may consider using a survey sampling of data collection for a
222 limited time period which involves assessing language access requests to assist in the evaluation
223 of the LAP.

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225 Elements of the evaluation will include:

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C. Trial Court Language Access Plan Coordinator:

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Jonathan Bearup, Deputy Court Administrator

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1400 E. Ash St.

239

Globe, AZ 85501

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(928) 402-8672, jbearup@courts.az.gov

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D. AOC Language Access Contact:

243

Carol Mitchell, Court Access Specialist

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Court Services Division

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Administrative Office of the Courts

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1501 W. Washington Street, Suite 410

247

Phoenix, AZ 85007

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(602) 452-3965, cmitchell@courts.az.gov

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E. LAP Effective date: July 15, 2014

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252

F. Approved by:

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254

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256

Presiding Judge:

Robert Duber II
Robert Duber II, Assoc. P.J.

Date:

7/8/14

Court Executive Officer:

[Signature]

Date:

7/9/14