

Sahuarita Municipal Court
Language Access Plan (LAP)

I. Legal Basis and Purpose

This document serves as the plan for the Sahuarita Municipal 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 Sahuarita Municipal 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. Navajo
3. Chinese
4. Vietnamese

B. Sahuarita Municipal Court

The Sahuarita Municipal 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.
- 3.
- 4.
- 5.

This information is based on data collected from our court staff's experiences.

III. Language Assistance Resources

A. Interpreters Used in the Courtroom

1. Providing Interpreters in the Courtroom

In the Sahuarita Municipal Court, 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, 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 Sahuarita Municipal 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, self-help center staff, family court services, or outside justice partners such as the Pima County Sheriff's Office/Video Court Judge/Staff, on their Jail Release Order, Sahuarita Police Department, on the citations. Courts should have a documented process to identify LEP needs for parties with notation in the physical or electronic case file.

The Sahuarita Police Department, Court staff, as well as court staff that process the jail release orders, have been notified that any Spanish speaking litigants or litigants of any other language should be cited into this court on the last Tuesday of each month at 1:30 p.m. at which time a court interpreter will be available.

Signage throughout the court building indicating interpreter services are available may also help to identify LEP individuals. The Sahuarita Municipal Court will display this sign at the following locations: lobby of the court building.

The need for an interpreter also may be made 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 AOC maintains a statewide roster of individuals who indicate they have interpreting experience and have expressed interest in working in the courts. The court using interpreting 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>.

The Sahuarita Municipal Court maintains a list of qualified interpreters and works collaboratively with other courts in Pima County to identify interpreters. The Sahuarita Municipal Court utilizes the Pima County Superior Court's list of Spanish speaking interpreters, as well as other language interpreters and utilizes the AOC statewide listserv, if and as needed. The court also networks with other courts around the state if the AOC or Pima County Superior Court cannot supply the language needed interpreter.

Additionally, AOC created a statewide listserv to allow courts to communicate via email on court interpreter-related matters. The listserv is an excellent resource 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

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 contact for more information on VRI connectivity and checklist for court proceedings most appropriate for video.

B. Language Services outside the Courtroom

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

- The Sahuarita Municipal Court has several bilingual employees in the following language: Spanish. When LEP customers seek our assistance outside of the courtroom, we first try to meet their needs by using the language skills of our employees.
- Independent interpreter contractors are utilized in the afternoon of the last Tuesday of each month, as well as an on as-needed basis when notice is provided.
- For face-to-face encounters, as well as telephonic conversations, the Sahuarita Municipal Court provides bilingual services in Spanish to customers, again utilizing the skills of our own employees. If communication cannot be reached to the customer by our staff, the customer is asked to return when the court interpreter will be present.
- "I Speak" forms will be provided to identify the individual's primary language if court staff is unable to establish what language is being spoken.
- Telephonic interpreter services.
- Video remote interpreting services (where available)

To provide linguistically accessible services for LEP individuals, the Sahuarita Municipal Court provides the following:

- Bilingual employees who provide customers both in person and telephonic, with general information in Spanish.
- Continue any pre-trial Criminal cases that require an interpreter to a day when the court will have a court interpreter present, and set civil cases such as civil traffic hearings and Protective Order hearings with interpreter needs for scheduled interpreter day.
- Continue to send court employees to any translation/interpreting/Spanish training made available for a low fee so that employees can communicate well on general issues with each customer.
- Some written forms in Spanish so that LEP individuals will leave the courthouse feeling like they have understood the proceedings.
- Sahuarita Municipal Court's website has provided a link to the Supreme Court's Spanish translated webpage for court forms and instructions.

C. COURT APPOINTED OR SUPERVISED PERSONNEL

The Sahuarita Municipal Court also shall ensure that court appointed or 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 Sahuarita Municipal Court currently uses forms and instructional materials translated into Spanish.

- The court has translated various documents into Spanish:
 - ◆ Waiver of Counsel form
 - ◆ Waiver of Right to a Jury Trial
 - ◆ Bond Cards- Both in English and Spanish
 - ◆ Standard Conditions of Release/Custodial Obligations- on the back of the Minute Entry Order.

These documents are provided to the customer during court. The Bond Cards are Provided by the Sahuarita Police Department at the time a citation is issued and is both in English and Spanish.

Our future plans are to have ALL forms in English and Spanish, as well as having these forms on our website.

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

IV. Court Staff and Volunteer Recruitment

A. Recruitment of Bilingual Staff for Language Access

The Sahuarita Municipal 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 interpreters to serve as regular full-time or part-time employees or regular interpreter contractors of the court.

- Bilingual staff to serve at public counters and or self-help centers; and
- Bilingual staff available on call to assist with contacts from LEP individuals, as needed.

V. Judicial and Staff Training:

The Sahuarita Municipal 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:

- Court training offered through other agencies
- Diversity Training
- Cultural Competency Training
- Collaborations with social service providers and other agencies to provide counseling and other LAP Training.
- LAP Training.
- Staff member's attendance at a local university to complete the court interpreter's course and to receive a certificate of proficiency so that she can be utilized as a full time court interpreter for this court.
- New employee orientation training.
- AOC's Language Access in the Courtroom training DVD
- 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 Sahuarita Municipal Court provides community outreach and education and seeks input from its LEP constituency to further improve services. Outreach and education efforts include:

- Due to our demographics, Sahuarita Municipal Court does not participate in any public outreach at this time. However, the Court has provided a link on the Court's webpage to the Arizona Supreme Court's Spanish-translated webpage.

VII. Formal Complaint Process

If an LEP court customer believes meaningful access to the courts was not provided to them, they may choose to file a complaint with the trial court's Language Access Plan Coordinator.

The court will develop a complaint process that includes at a minimum, the following information:

- Indicate the court will respond to any complaint within 30 days and the records will be maintained as public records.
- Indicate how to file a complaint and to whom the complaint should be directed.

- The Court must attach the complaint form (English/Spanish) to the LAP.
- Ensure that translated versions of the complaint form are available in multiple locations, including, but not limited to:
 - Forms posted on the court's website and
 - Hard copy forms available at the counters.

VIII. Public Notification and Evaluation of LAP

A. LAP Approval and Notification

The Sahuarita Municipal Court's LAP is approved by the presiding judge and court executive officer. Upon approval, the Court will forward a copy to the AOC Court Services Division. Any revisions to the plan will be submitted to the presiding judge and court executive officer for approval, and then forwarded to the AOC. Copies of Sahuarita Municipal Court's LAP will be provided to the public on request and will be placed on the court's webpage.

B. Evaluation of the LAP

The Sahuarita Municipal 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 once a year.

Each year the court's Court Administrator 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.
- 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.
- 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:

Rose Mendoza, Court Administrator

Sahuarita Municipal Court

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D. AOC Language Access Contact:

Amy Wood

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E. LAP Effective date: July 29, 2015

F. Approved by:

Presiding Judge:



Date:

8/4/15

Court Executive Officer:



Date:

8/4/15