

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 2014):

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 to provide 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 from Ajo Justice 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, 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 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 to identify 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 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 Arizona Supreme Court, Administrative Office of the Courts (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 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 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 (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 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 outside the courtroom. Court services and programs include but are not limited to self-help centers, clerk offices, intake officers, cashiers, and records room.

1. Assistance to Understand Court Procedures and Policies

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

2. Assistance to Fill-out Court Forms and Pleadings

The Pima County Ajo Justice Court will assist in the filling-out of court forms for those LEP court customers who are unable to do so either by themselves or with the assistance of another competent adult proficient in English and able to render assistance in a timely manner.

3. Court-ordered Services and Programs

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 programs include but are 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 or 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.
- “I Speak” cards, to identify the individual’s primary language.
- Multilingual signage throughout courthouse locations in the following languages: English, Spanish and Tohono O’odham
- 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 court phone line with key instructions provided in Spanish to request court services.
- Ajo Justice Court 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 the 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 information 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 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 various vital documents into Spanish including, but not limited to, the following:

- Bond Card
- Civil/Criminal/Traffic Motion
- Criminal Procedures steps information for defendants
- Delinquent/Default Notices
- Emergency eviction resource list of tenants
- Notice of Right to Appeal for Defendants
- Payment contracts
- Protective orders information

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>

1. Sight Translation

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

E. Websites/Online Access

The Ajo Justice Court website offers information in Spanish and also directs users to the Arizona Supreme Court's Spanish-translated webpage at the links below:

www.pima.gov/jcajo

<http://www.azcourts.gov/elcentrodeautoservicio>

IV. Court Staff 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 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 also recruits and uses volunteers to assist with language access in the following

areas:

- At information counters 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 for all judicial officers and staff members. Training and learning opportunities currently offered will be expanded or continued as needed. Those opportunities include:

- Interpreter training;
- Diversity Training;
- Cultural competency training;
- All staff is instructed about LAP policies and procedures, as described in this LAP, on an annual basis;
- Frontline staff will meet annually to identify changing language needs and discuss ways to improve services;
- 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;
- 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

To communicate with the court's LEP constituents to make the community 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 in the local newspaper regarding the court's accessibility and services provided. Examples of the type of announcements include announcement on the availability of Spanish speaking staff at the courthouse free of charge.
- Partnerships and collaborations with community groups (of the 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.

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

Due to demographics, Ajo Justice Court does not participate in these instructional methods. The need for videos, webinars, on-line classes, in-person classes and other similar instructional methods will be reviewed annually and modified as needed.

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. 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. The form can be 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, Arizona 85321
Telephone: 520-387-7684
Fax: 520-387-6028

2. The Court will respond to any complaint within 30 days and the records will be maintained as public records. 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):

David Svoboda
Court Services Division
Administrative Office of the Courts
1501 W. Washington Street, Suite 410
Phoenix, Arizona 85007
(602) 452-3965, dsvoboda@courts.az.gov

3. 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 on 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 2 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:

Vianka Mariscal
Pima County Ajo Justice Court
111 La Mina Avenue
Ajo, Arizona 85321

D. AOC Language Access Contact:

David Svoboda
Court Services Division
Administrative Office of the Courts
1501 W. Washington Street, Suite 410
Phoenix, AZ 85007
(602) 452-3965, dsvoboda@courts.az.gov

E. LAP Effective date: January 26, 2017

F. Approved by:

Pima County Ajo Justice Court Presiding Judge: John Peck Date: January 26, 2017
Ajo Justice Court Administrator: Yvette Montijo Date: January 26, 2017