SURPRISE
ARIZONA

Surprise City Court
Language Access Plan (LAP)
01/31/13

I. Legal Basis and Purpose

This document serves as the plan for the Surprise City 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. 2000 d 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 Surprise City 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 Census report dated April 2010):

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

B. Surprise City Court

The Surprise City Court will make every effort to provide language services to all LEP persons. Language services are free of charge to LEP persons interacting with court personnel in person, over the phone or by mail. In the Surprise City Court geographic area, foreign languages in order of most frequently requested according to data sources are:

1. Spanish
2. Mandarin
3. Assyrian
4. Vietnamese
5. Polish

C. Foreign Language Data Sources

1. Surprise City Court bilingual staff,
2. United States Census Bureau 2005-2009 American Community Survey,
3. City of Surprise GIS staff,
4. CourTools Measure 1-Access and Fairness 2011 Surprise Municipal Court Cumulative Statistical Analysis report,
5. internal statistics and experience, and
6. data collected from interpreter billing invoices.

III. Language Assistance Resources

A. Interpreters Used in the Courtroom

1. Providing Interpreters in the Courtroom

In the Surprise City Court, customers who need language assistance receive interpreters at no cost under the following circumstances:

a. for litigants and witnesses in criminal and civil proceedings;
b. for parties filing petitions and answers for protective orders; and
c. for parties requesting information about their case.

It is the responsibility of the private attorney or public defender to provide qualified interpretation and translation services for witness interviews, pre-trial transcriptions and translations and attorney/client communications during proceedings.

2. Determining the Need for an Interpreter in the Courtroom

The Surprise City Court may determine whether an LEP court customer needs an interpreter for a court hearing in various ways as described below. Court staff or a justice partner such as a defense attorney, prosecutor or social service, or someone on the LEP person's behalf may identify the need for a court interpreter prior to a court proceeding.

Identifying LEP individuals in need of language assistance occurs as early as initiation of an Arizona Traffic Ticket and Complaint (ATTC), electronic citation (eCitation), or Summons and Complaint. The citing officer may indicate interpreter and language needs on the face of an ATTC, eCitation, or within a written report. Interpreter information then transfers to the automated case management system (AZTEC) via electronic or manual data processing. The Interpreter Coordinator retrieves court calendars from AZTEC and schedules internal or external court certified interpreters as needed.

Citations not issued directly to a person, such as in the case of photo enforcement, illegal parking, animal control, or city code violations, do not establish interpreter needs. Court staff use every available resource to identify language needs of all individuals interacting with the court in person or by phone.

Additionally, *Notice of Interpreter Services* signage visible throughout the court building helps to identify and direct LEP individuals. The Surprise City Court displays this signage at the following locations: entry point at security station, lobby information desk and front counter windows.

The need for an interpreter also maybe 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, only after the court has exhausted 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. 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. This roster is available to court staff on the Internet at http://www.interpreters.courts.az.gov.

Additionally, the AOC created a statewide listserv to allow courts to communicate via email on court interpreter-related matters. Primarily the listserv is an excellent resource to locate referrals for specific language needs.

B. Language Services Outside the Courtroom

The Surprise City Court is also responsible for taking reasonable steps to ensure that LEP individuals have meaningful access to services outside the courtroom. LEP individuals communicate with court personnel via the phone, the front counter, or other means. To facilitate communication between LEP individuals and court staff, Surprise City Court relies on the following resources based on availability.

1. Forty (40) percent of Surprise City Court staff speaks Spanish either proficiently or conversationally.
2. When LEP customers seek assistance outside the courtroom, needs are first met using conversationally proficient bilingual employees when appropriate.
3. The Surprise City Court maintains an internal list of bilingual employees who are able to assist LEP customers.
4. For face-to-face encounters, as well as telephone conversations, the Surprise City Court uses *Language Line* when on-site interpreters are not available.
5. When court staff does not know what language a customer is speaking, they use US Census Bureau *I Speak* cards.
6. Staff who have some knowledge of Spanish but need help with court terminology may consult the following glossary sources.
   a. *Spanish/English glossary on the AOC self-help Web site*, http://www.azcourts.gov/selfservicecenter/SelfServiceForms.aspx
   b. *Spanish Language Style Guide and Glossaries for U.S. Government Web Sites,* http://www.usa.gov/webcontent/multilingual/spanish-guide/index.shtml
7. *Notice of Interpreter Services* signs in Spanish, English, Vietnamese and Arabic, are displayed throughout the courthouse.

To provide further linguistically accessible services for LEP individuals, the Surprise City Court provides the following:

- customer services delivered by Spanish-speaking staff or volunteers,
- treatment and counseling providers with interpreter access and bilingual staff,
- defensive driving schools with Spanish speaking instructors,
- telephonic language assistance provided by bilingual staff and *Language Line*,
- online informational materials, instructions, forms and signage available in Spanish, Vietnamese, and other languages, and
- courtroom interpreting by court certified proficient staff, contract interpreters and Language Line.

C. Translated Forms and Documents

Surprise City Court proactively seeks innovative ways to provide quality services to LEP individuals. For example, the City of Surprise enhanced its website with a custom toolbar including *Google Translator* Court forms, instructional materials, court calendars, and information instantly translates to languages most frequently used in the geographic area. Surprise City Court currently uses the following preprinted forms and instructional materials readily available to the public in Spanish.

1. Surprise City Court translated and makes available the following documents:
   a. *Motion form (Spanish*), located at the front counter and online at www.surpriseaz.gov/court,
   b. *Petition for Protection Order,* located at the front counter and online at www.surpriseaz.gov/court,
   c. *Sentencing Order* in courtrooms,
   d. *Civil Traffic Judgment and Sentencing Order* in courtrooms,
   e. *Payment Orders* in courtrooms and at the front counter,
   f. *Motion Order* in courtrooms, and
   g. *Surprise City Court Language Access* Plan at www.surpriseaz.gov/court, or upon request.

2. Protective orders translated in Arabic, Chinese, Spanish and Vietnamese are available in the court and online at http://www.azcourts.gov/domesticviolencelaw/ and www.surprisaz.gov/court.

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

4. An interpreter coordinator frequently evaluates the performance of bilingual staff, Language Line staff and contract interpreters who translate written material.

IV. Court Staff and Volunteer Recruitment

A. Recruitment of Bilingual Staff for Language Access

The Surprise City Court is an equal opportunity employer that recruits volunteers and hires bilingual staff to serve its LEP constituents. Primary examples are:

1. regular status bilingual employees of the court serve as interpreters;
2. bilingual staff serve at the front counter; and

3. bilingual employees are readily available to assist LEP individuals.

B. Recruitment of Volunteers for Language Access

The court also recruits and uses conversational proficient volunteers to assist with language access by providing information assistance in person and over the phone. The City of Surprise administers formal testing for Spanish proficiency. The Surprise City Court interpreter coordinator continually assesses the skill of others.

V. Judicial and Staff Training

The Surprise City Court is committed to providing training opportunities for all judicial officers and staff members, especially those serving the public directly. Future training opportunities will incorporate language access components to ensure staff fully understands their obligation to provide meaningful access to information and services for LEP persons. Current training plans include:

- interpreter coordinator training on how to schedule an interpreter and the use of LAP resources;
- diversity, inclusion and cultural competency training;
- Title VI LAP training and learning what language services are required;
- staff attendance in Spanish language training provided by the court in partnership with local institutions to offer these classes on site and free to employees on court time, or through tuition reimbursement;
- new employee orientation and customer service training; and,
- judicial officer orientation/training on use of court interpreters and language competency.

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 Surprise City Court provides community Outreach and education and seeks input from its LEP constituency to further improve services. Below are examples of planned outreach efforts.

- Conduct an annual National Center for State Courts' CourTools Access and Fairness Survey;
- Conduct an onsite and web survey in Spanish to measure customer satisfaction with access.
- Collaborate with city marketing and website staff to develop outreach programs.

VII. Public Notification and Evaluation of LAP

A. LAP Approval and Notification

The Surprise City Court's LAP is subject to approval by the presiding judge and court administrator and a copy 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 Surprise City Court's LAP will be available to the public on the website www.surpriseaz.gov/court, or by contacting court administration at (623) 222-4800.

B. Annual Evaluation of the LAP

The Surprise City Court will routinely assess revisions needed to the LAP. The plan may be changed or updated at any time, but at a minimum must be evaluated annually.

Each year, the 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. Elements of the evaluation will include:

1. number of LEP persons requesting Spanish court interpreters;
2. assessment of current language needs to determine if additional services or translated materials should be provided;
3. solicitation and review of feedback from LEP communities within the city;
4. assessment of whether court staff adequately understand LEP policies and procedures and how to carry them out;
5. review of feedback from court employee training sessions; and
6. customer satisfaction feedback (see VI. Public Outreach).

C. Trial Court Language Access Plan Coordinator:
Linda Rodriguez, Court Administrator
Surprise City Court
16081 N. Civic Center Plaza, Suite 105
Surprise, AZ 85374
(623) 222-4820, lrodrig3@courts.az.gov

D. AOC Language Access Contact:
Carol Mitchell, Court Access Specialist
Court Services Division
Administrative Office of the Courts
1501 W. Washington Street, Suite 410
Phoenix, AZ 85007
(602) 452-3965, cmitchell@courts.az.gov

E. LAP Effective date: January 3, 2012
F. LAP Revision date: January 31, 2013

G. Approved by:

Presiding Judge: _____ Date: 2-7-13

Court Administrator: _____ Date: 2/7/13