

PARADISE VALLEY MUNICIPAL COURT

Language Access Plan (LAP)

I. Legal Basis and Purpose

This document serves as the plan for the Paradise Valley 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 Paradise Valley 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. Paradise Valley Municipal Court

The Paradise Valley Municipal Court will make every effort to provide services 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. Arabic

This information is based on data collected from the Court’s case management system from July 1, 2014 – December 31, 2016.

III. Language Assistance Resources

A. Interpreters Used in the Courtroom

1. Providing Interpreters in the Courtroom

In the Paradise Valley Municipal Court, court interpreters will be provided in all courtroom proceedings at no cost to all LEP witnesses; litigants; victims; parents, guardians, and family members of minor witnesses, victims, and/or litigants; 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

Paradise Valley 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 attorneys or correctional facilities. Courts should have 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 Paradise Valley Municipal Court will display this sign at the following locations: Court lobby and Customer Service windows.

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

Paradise Valley Municipal Court makes use both of the registry of statewide interpreters and the listserv in order to locate interpreters for less frequently encountered languages and to widen the selection of interpreters for other languages.

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>.

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 Paradise Valley Municipal Court is also responsible for taking reasonable steps to ensure that LEP individuals have meaningful access to services provided by the court outside the courtroom including cashiers, counter and obtaining records.

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 Paradise Valley Municipal 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 program include but is not limited to 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:

- Independent interpreter contractors;
- Bilingual employees;
- Bilingual volunteers;
- “I Speak” cards, to identify the individual’s primary language;
- Written information in Spanish on how to access and navigate the court;
- Telephonic interpreter services, (from contract interpreters or an agency).

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

- Paradise Valley Municipal Court uses Language Line when on-site interpreters are not available.
- The Paradise Valley Municipal Court has three bilingual Spanish speaking employees. When LEP customers seek our assistance outside the courtroom, we first try to meet their needs by using the language skills of our employees.
- Written informational and educational materials and instructions in Spanish.
- When court staff does not know what language a customer is speaking, they use I Speak cards, to determine the language.

C. Court Appointed or Supervised Personnel

The Paradise Valley 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. Currently, the following forms and instructional materials are translated into Spanish:

- Payment Contract
- Public Defender application
- *Your Rights* brochures
- *Personal Safety Plan* brochures

These documents are located in the Court lobby and will be accessible on Paradise Valley Municipal Court website (<http://www.ci.paradise-valley.az.us/161/Municipal-Court>) in the near future.

Paradise Valley Municipal Court can also provide Protective Order petitions in Spanish, Chinese, Arabic and Vietnamese available on the Supreme Court website (<http://www.azcourts.gov/domesticviolencelaw/ProtectiveOrderForms.aspx>).

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.

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

E. Website/Online Access

If the court operates an Internet website, it will ensure the website is accessible to LEP persons and will include, at a minimum:

- A notice about the availability of language services written in Spanish and posted on the home page.

IV. Court Staff and Volunteer Recruitment

A. Recruitment of Bilingual Staff for Language Access

The Paradise Valley 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

B. Recruitment of Volunteers for Language Access

The Paradise Valley Municipal Court does not currently use volunteers to assist with language access issues. This policy will be reviewed regularly.

V. Judicial and Staff Training

The Paradise Valley 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:

- Staff interpreter training;
- Diversity training;

- Cultural competency training;
- LAP training;
- 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

Due to demographics, Paradise Valley Municipal Court does not participate in public outreach. However, the Court has various public information & education pamphlets translated into Spanish that are available in the front lobby of the Courthouse. The need for public outreach and education 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 (See Appendix 1 for Complaint Forms).

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

- The court will respond to any complaint within 30 days and the records will be maintained as public records.
- The complaint may be filed as follows:
 - In person
 - Via E-mail
- The Court has attached the complaint form (English/Spanish) to the LAP. In the alternative, the complaint forms may be located at:
<http://azcourts.gov/selfservicecenter/Self-Service-Forms#ComplaintForm>
- The court will 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 Paradise Valley Court's LAP is approved by the presiding judge and court executive officer. Upon approval, please 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 Paradise Valley Municipal Court's LAP will be provided to the public on request.

B. Evaluation of the LAP

The Paradise Valley 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 biennially.

Each two years the court's management team 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 language assistance;
- Assessment of current language needs to determine if additional services or translated materials should be provided;
- 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.
- Review any language access complaints received during this time period.

C. Trial Court Language Access Plan Coordinator:

Jeanette Wiesenhofer
Court Director
Paradise Valley Municipal Court
6517 E. Lincoln Drive
Paradise Valley, AZ 85253
(480) 404-7020, jwiesenhofer@paradisevalleyaz.gov

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: 01/30/2017

F. Approved by:

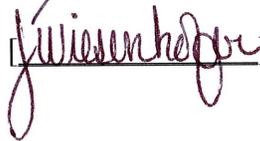
Presiding Judge:



Date:

[01.04.2017]

Court Executive Officer:



Date:

[01.04.2017]

APPENDIX 1

**Paradise Valley Municipal Court
Limited English Proficiency (LEP) Complaint Form**

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." One of the reasons this law was established to ensure that persons who do not speak English as their primary language and who have a limited ability to read, speak, write or understand English be afforded meaningful access to programs, services and/or activities and information provided by any entity receiving federal financial assistance.

If you feel you have not been provided meaningful access to any court or probation service and/or activity, please complete this form and return it to 6517 E Lincoln Drive, Paradise Valley AZ 85253.

PLEASE COMPLETE AND SIGN:

I. Complainant Information:

Name: _____

Contact or Home Address: _____ City/State/Zip: _____

Telephone #: Home (____) _____ Alternate # () _____

Primary Language: _____

II. Complaint Description:

Name or Department and/or Program/Service/Activity: _____

Name of individual (s) involved if known: _____

Address where incident occurred: _____

Date of incident: _____

Describe how you were not provided meaningful access: (Be specific and attach additional pages if necessary)

Signature _____ Date: _____

The Paradise Valley Municipal Court is committed to improve access to its programs, services and activities for persons who are Limited English Proficient.

Paradise Valley Municipal Court Formulario de Reclamación por falta del debido acceso a los de Conocimiento Limitado del Idioma Inglés

La sección 602 del Título VI de la Ley de Derechos Civiles de 1964, 42 U.S.C. 2000d reza que "En Estados Unidos, se garantizará a toda persona la participación en y beneficios de todo programa o actividad que reciba asistencia económica federal sin discriminar debido a su raza, color u origen nacional." Entre los motivos de dicha ley fue el de asegurar que se le conceda a toda persona que no sepa inglés como idioma principal y con capacidad limitada de leer, hablar, escribir o entender el inglés pleno acceso a todo programa, servicio y/o actividad e información proporcionados por toda entidad que reciba asistencia económica federal.

Si Ud. opina que se le ha negado el pleno acceso a todo servicio o actividad ofrecido por el tribunal o el departamento de régimen a prueba, por favor, llene este formulario y envíelo a 6517 E. Lincoln Drive, Paradise Valley, AZ 85253

Llene el formulario a continuación y fírmelo al pie.

1. Datos del reclamante:

Nombre y apellido(s): _____

Dirección domiciliaria: _____ Ciudad/Estado/Código Postal: _____

Núm. de Teléfono: Casa () _____ Otro () _____

Idioma principal: _____

Detalles de su Reclamación:

Nombre del Departamento que ofrece el programa, servicio o actividad: _____

Nombre(s) de la(s) persona(s) involucrada(s) si es que sabe: _____

Dirección del sitio en que ocurrió el incidente: _____

Fecha del incidente: _____

Mencione en detalle cómo fue que le negaran pleno acceso: (Anote los detalles y adjunte otras hojas si es necesario)

Firma _____ Fecha: _____

Paradise Valley Municipal Court se comprometen a mejorar el acceso a sus programas, servicios y actividades para los de conocimiento limitado del inglés.