

Superior Court and Justice Courts of Cochise County

Language Access Plan (LAP)

I. Legal Basis and Purpose

This document serves as the plan for the Arizona Superior Court and Justice Courts of Cochise County (Courts) to provide services to persons with limited English proficiency (LEP) 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 any of the courts.

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 significant portion of the population including people who speak no English and those with limited English proficiency. Statewide, the following languages were listed as having the greatest proportion of individuals that speak English less than “very well”; (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. Cochise County

The Courts will make every effort to provide services to all LEP persons. The following list shows the foreign languages that are most frequently used in this court’s geographic area.

1. Spanish
2. Korean

This information is based on data collected from Court Interpreters’ Office data.

III. Language Assistance Resources

A. Interpreters Used in the Courtroom

1. Providing Interpreters in the Courtroom

Interpreters will be provided at no cost to LEP court customers (including witnesses, victims and parents or guardians) who need such assistance in all courtroom proceedings.

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 Courts determines whether an LEP court customer needs an interpreter for a court hearing in various ways.

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, interpreter staff or outside justice partners such as probation/parole officers, attorneys, social workers or correctional facilities.

Signage throughout the court building indicating interpreter services are available may also help to identify LEP individuals. The Cochise County Courts will post appropriate signage in every courthouse location.

When the requirement for an interpreter arises in a proceeding, all reasonable efforts will be made to locate an interpreter. If there are none available, the hearing will be postponed and continued to a date when an interpreter can be accessible.

3. AOC Interpretation Resources

Court Interpreter Registry and Listserv

The AOC maintains a statewide roster of individuals that indicate they have interpreting experience and have expressed interest in working in the courts. The court 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.

Video Remote Interpreting

The AOC installed video conferencing equipment at the State Courts building to allow courts with compatible technology to remotely conference interpreters from the Phoenix metro area into their courtrooms thus improving resource allocation and reducing time and costs associated with interpreter travel.

The same technology has been installed in the Willcox and Bowie Justice Courts and the Office of the Court Interpreters in Bisbee. The availability and quality of interpreter services is enhanced because staff interpreters can provide more timely coverage of court events.

B. Language Services Outside the Courtroom

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

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;
- “I Speak” cards, to identify the individual’s primary language;
- Telephonic interpreter services, (from staff and contract interpreters or an agency); and,
- Video remote interpreting services

To provide linguistically accessible services for LEP individuals, the Courts provide the following:

- Self-help center services (Superior Court) that include bilingual self-help center staff, telephonic language assistance to LEP persons in their primary language;
- Website link from court’s website (if applicable) to the Supreme Court’s Spanish translated webpage for court forms and instructions.

C. 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 Cochise County Courts currently use some forms and instructional materials translated into Spanish.

These documents will be located in the Law Library at the Old Bisbee Courthouse

located at 100 Quality Hill, Bisbee, Arizona.

Forms and instructions for many forms are available through the courts website (<http://www.cochise.az.gov>) and through the Arizona Supreme Court's Spanish-translated webpage at <http://www.azcourts.gov/elcentrodeautoservicio/FormulariosdeAutoservicio.aspx>.

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

IV. Court Staff

A. Recruitment of Bilingual Staff for Language Access

The Cochise County Courts 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.
- Bilingual staff to serve as probation officers and detention officers.

V. Judicial and Staff Training

The Courts are 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 coordinator training offered by the AOC;
- LAP training;
- Spanish language training, provided by the court interpreters to enhance the language ability of staff. New employee orientation training; and enrollment of new interpreters in the Agnese Haury Institute at the University of Arizona
- Judicial officer orientation on the use of court interpreters and language competency.
- AOC's Language Access in the Courtroom Training DVD (4/2014)

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 Cochise County Courts will post its LAP on the website. The court will also update its website to make information about accessing language services more widely available.

VII. Formal Complaint Process

If an LEP court customer believes meaningful access to the courts was not provided, the person may choose to file a complaint with the Superior Court Administrator.

VIII. Public Notification and Evaluation of LAP

A. LAP Approval and Notification

The Cochise County Court's LAP is approved by the Presiding Judge and Superior Court Administrator and a copy will be forwarded to the AOC Court Services Division. Any revisions to the plan will be submitted to the Presiding Judge and Superior Court Administrator for approval, and then forwarded to the AOC. Copies of the LAP will be provided to the public on request and will be posted on the website.

B. Evaluation of the LAP

The Courts 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 two years the court's Chief Interpreter will review the effectiveness of the court's LAP and recommend updates 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 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.

C. Trial Court Language Access Plan Coordinator:

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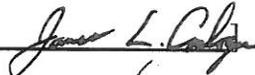
D. AOC Language Access Contact:

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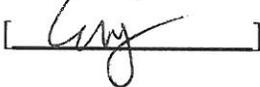
E. LAP Effective date: [September 1, 2014]

F. Approved by:

Presiding Judge:

[] Date: [07/21/2014]

Superior Court Administrator:

[] Date: [7/21/2014]