

1 **Superior Court and Justice Courts of Cochise County**

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3 **Language Access Plan (LAP)**

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5 **I. Legal Basis and Purpose**

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7 This document serves as the plan for the Arizona Superior Court and Justice Courts of Cochise
8 County to provide to persons with limited English proficiency (LEP) services that are in
9 compliance with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.; 45 C.F.R. §
10 80.1 et seq.; and 28 C.F.R. § 42.101–42.112). The purpose of this plan is to provide a framework
11 for the provision of timely and reasonable language assistance to LEP persons who come in
12 contact with the Superior Court and Justice Courts of Cochise County.

13
14 This language access plan (LAP) was developed to ensure meaningful access to court services
15 for persons with limited English proficiency. Although court interpreters are provided for
16 persons with a hearing loss, access services for them are covered under the Americans with
17 Disabilities Act rather than Title VI of the Civil Rights Act, and therefore will not be addressed
18 in this plan.

19
20 **II. Needs Assessment**

21 **A. Statewide**

22 The State of Arizona provides court services to a wide range of people, including those who
23 speak limited or no English. From a statewide perspective, the following languages were listed
24 with the greatest number of speakers who spoke English less than “Very Well” in Arizona
25 (according to the American Community Survey estimate report from the U.S. Census Bureau
26 dated April 2013):

- 27
28 1. Spanish
29 2. Navajo
30 3. Chinese
31 4. Vietnamese

32
33 **B. Superior Court and Justice Courts of Cochise County**

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35 The Superior Court and Justice Courts of Cochise County are responsible to provide services
36 identified in this plan to all LEP persons. However, the following list shows the foreign
37 languages that are most frequently used in the court’s geographic area.

- 38
39 1. Spanish
40 2. Korean

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42 This information is based on data collected from the Court Interpreters' Office.
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45 **III. Language Assistance Resources**

46 **A. Interpreters Used in the Courtroom**

47 **1. Providing Interpreters in the Courtroom**

48
49 In the Superior Court and Justice Courts of Cochise County, court interpreters will be provided
50 in all courtroom proceedings at no cost to all LEP persons including witnesses, litigants, victims,
51 parents, guardians, and family members of minors as well as any other person whose presence or
52 participation is necessary or appropriate as determined by the judicial officer.

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54 It is the responsibility of the private attorney, Public Defender or County Attorney to provide
55 qualified interpretation and translation services for witness interviews, pre-trial transcriptions
56 and translations and attorney/client communications during out of court proceedings.

57 **2. Determining the Need for an Interpreter in the Courtroom**

58
59 The Superior Court and Justice Courts of Cochise County may determine whether a court
60 customer has limited English proficiency. Identification of language needs at the earliest point of
61 contact is highly recommended. The need for a court interpreter may be identified prior to a
62 court proceeding by the LEP person or on the LEP person's behalf by counter staff, self-help
63 center staff, family court services, interpreter staff or outside justice partners such as
64 probation/parole officers, attorneys, social workers or correctional facilities.

65
66 Signage throughout the court building indicating interpreter services are available may also help
67 to identify LEP individuals. The Superior Court and Justice Courts of Cochise County will
68 display this sign at the following locations: The Clerk of the Court's Office, Law Library and at
69 the entrance of all Justice Courts.

70
71 The need for an interpreter also may be made known in the courtroom at the time of the
72 proceeding. In a case where the court is mandated to provide an interpreter, but one is not
73 available at the time of the proceeding, even after the court has made all reasonable efforts to
74 locate one, as previously outlined in this plan, the case will be postponed and continued on a date
75 when an interpreter can be provided.

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77 **3. AOC Interpretation Resources**

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79 **Court Interpreter Registry and Listserv**

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81 The AOC maintains a statewide roster of individuals who indicate they have interpreting
82 experience and have expressed interest in working in the courts. The court using interpreter
83 services will determine the competence of the persons listed. This roster is available to court staff
84 on the Internet at <http://www.interpreters.courts.az.gov>.

85

86 Additionally, AOC created a statewide listserv to allow courts to communicate via email on
87 court interpreter-related matters. The listserv is an excellent resource to locate referrals for
88 specific language needs. Access codes and instructions to join the listserv may be obtained from
89 the AOC Language Access contact person.

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91 Video Remote Interpreting (VRI)

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93 The AOC has installed video conferencing equipment at the State Courts building that will allow
94 courts with compatible technology to remotely conference an interpreter from the Phoenix metro
95 area or from another court jurisdiction into their court to improve resource allocation and reduce
96 time and costs associated with interpreter travel.

97

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

101

102 **B. Language Services Outside the Courtroom**

103

104 The Superior Court and Justice Courts of Cochise County are also responsible for taking
105 reasonable steps to ensure that LEP individuals have meaningful access to all court services and
106 programs outside the courtroom. Court services and programs include but are not limited to self-
107 help centers, clerk offices, intake officers, cashiers, and records room.

108

109 The court also is responsible for taking reasonable steps to ensure that LEP individuals have
110 meaningful access to all court-ordered services and programs. Court-ordered services and
111 programs include but are not limited to conciliation, mediation, arbitration, treatment or
112 educational programs provided by a court employee or a private vendor under contract with the
113 court. Contracts with vendors that provide direct services to court users must include the
114 requirement that the vendor provide language services, including interpreters, for all LEP
115 individuals.

116

117 The court uses the following resources to facilitate communication with LEP individuals and
118 court staff or providers of court-ordered services:

119

- 120 • Staff court interpreters or independent interpreter contractors;
- 121 • Bilingual employees;
- 122 • "I Speak" cards, to identify the individual's primary language;
- 123 • Telephonic interpreter services, (from contract interpreters or an agency); and,
- 124 • Video remote interpreting services (where available)

125

126 To provide linguistically accessible services for LEP individuals, the Superior Court and Justice
127 Courts of Cochise County provide the following:

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- 129 • Self-help center services (Superior Court) that include bilingual self-help center staff,

- 130 telephonic language assistance to provide self-help services to LEP persons in their
131 primary language;
- 132 • Website links from court's website to the Supreme Court's Spanish translated webpage
133 for court forms and instructions and other language access related resources such as the
134 court's LAP and complaint form and process should be made available online.

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136 **C. Court Appointed or Supervised Personnel**

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138 The Superior Court and Justice Courts of Cochise County also shall ensure that court
139 appointed or supervised personnel, including but not limited to child advocates, guardians
140 ad litem, court psychologists and doctors provide language services, including interpreters
141 as part of their service delivery system to LEP individuals.

142

143 **D. Translated Forms and Documents**

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145 The Arizona courts understand the importance of translating forms and documents so that LEP
146 individuals have greater access to the courts' services. The Superior Court and Justice Courts of
147 Cochise County currently use some forms and instructional materials translated into Spanish. As
148 indicated above, the court directs individuals to the court's website to vital forms translated into
149 Spanish.

150

151 These documents can be located in the Law Library at the Old Bisbee Courthouse located
152 at 100 Quality Hill, Bisbee, AZ 85603

153

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

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157 **E. Websites/Online Access**

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159 The court's website is accessible to LEP persons and includes:

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- 161 • A notice about the availability of language services written in Spanish and posted on the
162 home page at <http://www.cochise.az.gov>.
- 163 • A hyperlink to Arizona Supreme Court's Spanish-translated webpage at
164 <http://www.azcourts.gov/elcentrodeautoservicio/Autoservicios-Centro-Formularios>.

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166 **IV. Court Staff**

167 **A. Recruitment of Bilingual Staff for Language Access**

168 The Superior Court and Justice Courts of Cochise County is an equal opportunity employer and
169 recruits and hires bilingual staff to serve its LEP constituents. Primary examples include but are
170 not limited to:

171

- 172 • Court interpreters to serve as regular full-time or part-time employees or regular
173 interpreter contractors of the court.
174 • Bilingual staff to serve at public counters and or self-help centers; and
175 • Bilingual staff available on call to assist with contacts from LEP individuals, as needed.
176

177 **V. Judicial and Staff Training**

178
179 The Superior Court and Justice Courts of Cochise County are committed to providing language
180 access training opportunities for all judicial officers and staff members. Training and learning
181 opportunities currently offered will be expanded or continued as needed. Those opportunities
182 include:
183

- 184 • Interpreter coordinator training offered by the AOC;
185 • LAP training;
186 • Spanish language training, provided by the court interpreters to enhance the language
187 ability of staff.
188 • New employee orientation training; and,
189 • Judicial officer orientation on the use of court interpreters and language competency.
190 • AOC's Language Access in the Courtroom Training DVD
191 • AOC's language access online training videos
192

193 **VI. Public Outreach and Education**

194 To communicate with the court's LEP constituents on various legal issues of importance to
195 the community and to make them aware of services available to all language speakers, the
196 Superior Court and Justice Courts of Cochise County will post its LAP on the website. The
197 courts will also update the website to make information about accessing language services
198 more widely available.
199

200 **VII. Formal Complaint Process**

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202 If an LEP court customer believes meaningful access to the courts was not provided to them,
203 they may choose to file a complaint with the Superior Court Administrator. The court has posted
204 the complaint form and LAP in both Spanish and English on the website with instructions of how
205 to file the complaint. The court will respond to all complaints within 30 days.
206

207 The form will also be made available at court locations. The complaint may be forwarded to:

208
209 Eric Silverberg
210 Superior Court Administrator
211 P.O. Box 204
212 Bisbee, Az 85603
213 esilverberg@courts.az.gov

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215
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VIII. Public Notification and Evaluation of LAP

A. LAP Approval and Notification

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

224
225

B. Evaluation of the LAP

226 The Superior Court and Justice Court of Cochise County will routinely assess whether changes
227 to the LAP are needed. The plan may be changed or updated at any time but reviewed not less
228 frequently than biennially.

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230 Every 2 years the court's Chief Interpreter will review the effectiveness of the court's LAP and
231 recommend updates as necessary. The evaluation will include identification of any problem areas
232 and development of corrective action strategies. From time to time, the court may consider using
233 a survey sampling of data collection for a limited time period which involves assessing language
234 access requests to assist in the evaluation of the LAP.

235

236 Elements of the evaluation will include:

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- 238 • Number of LEP persons requesting language assistance;
- 239 • Assessment of current language needs to determine if additional services or translated
240 materials should be provided;
- 241 • Assessment of whether court staff adequately understand LEP policies and procedures
242 and how to carry them out;
- 243 • Review of feedback from court employee training sessions; and,
- 244 • Customer satisfaction feedback as indicated on the access and fairness survey, if
245 administered by the court during this time period.
- 246 • Review any language access complaints received during this time period.

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C. Trial Court Language Access Plan Coordinator:

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Veronica Olivares

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Chief Interpreter

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P.O. Box 204

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D. AOC Language Access Contact:

Amy Wood
Court Services Division
Administrative Office of the Courts
1501 W. Washington Street, Suite 410
Phoenix, AZ 85007
(602) 452-3337, Awood@courts.az.gov

E. LAP Effective date: September 1, 2015

F. Approved by:

Presiding Judge: Hon. James L. Conlogue  Date: 07/24/15

Superior Court Administrator: Eric Silverberg  Date: 7/24/15