

Superior Court of Santa Cruz County

Language Access Plan (LAP)

I. Legal Basis and Purpose

This document serves as the plan for the Arizona Superior Court of Santa Cruz County (henceforth the 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 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 2017):

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

B. Superior Court of Santa Cruz County

The Court is responsible to provide services identified in this plan to all LEP persons. The following list shows the foreign languages that are most frequently used in this Court or the Court’s geographic area.

1. Spanish
2. Turkish
3. Cantonese and Kurdish

This information is based on data collected by the Court. It is worth noting that the need for a Turkish, Cantonese or Kurdish interpreter has been extremely rare.

III. Language Assistance Resources

A. Interpreters Used in the Courtroom

1. Providing Interpreters in the Courtroom

In the Superior Court of Santa Cruz County, court interpreters are 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.

The Court is committed to providing qualified interpreters in accordance with Arizona Supreme Court Administrative Order 2016-02, to help ensure meaningful access for LEP individuals. The Court employs interpreters in the courtroom as follows:

The Court has two full-time Spanish interpreters. The Court has funding for a third interpreter, but the position is currently vacant. When more than two interpreters are needed, the Court arranges for contract interpreters to be available.

The Deputy Court Administrator is responsible for scheduling interpreters as needed (in a way where all scheduled matters requiring an interpreter are covered). The Deputy Court Administrator reviews calendars in advance and makes the necessary arrangements. The latter includes making use of the interpreter registry available through the Supreme Court to summon credentialed interpreters when needed.

The Court will show preference for credentialed interpreters. The person coordinating coverage knows to reach out to credentialed interpreters first. Arrangements will be made depending upon the willingness of credentialed interpreters to take assignments, while being cognizant of fiscal considerations.

It is important to note that a private attorney, a court-appointed attorney and a deputy county attorney are responsible for providing 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 Court may determine whether a Court customer has limited English proficiency. Identification and documentation in the Arizona Judicial Automated Case System (AJACS) 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 or outside justice partners such as the arresting agency, detention center staff (juvenile or adult), probation/parole officers or attorneys.

The Court's process for identifying LEP needs includes the Clerk's office practice of determining LEP needs for parties at the time a case is filed. Additionally, both Clerk's office staff and judicial assistants routinely access and update both the physical and electronic file and note the need for an interpreter. Furthermore, the Court publishes a calendar with notations from the electronic file that includes notice that the case requires an interpreter.

Signage throughout the Court building indicating interpreter services are available may also help to identify LEP individuals. The Court has on display signage at the following locations: outside the main entrance, the security checkpoint, the elevator and in the corridor in front of the courtrooms.

The need for an interpreter may also 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 (despite the Court's best efforts to provide one), the hearing will be continued to a date when an interpreter can be provided.

If the LEP person prefers, an interpreter will be located via teleconferencing. The Court has a contract with an interpreting service and an interpreter can be made available quickly. The latter may be a good option, particularly if a litigant wants to avoid a continuance. The Court has and will accommodate this if appropriate. Judicial staff is trained on the teleconference equipment and the arrangements with the service provider.

3. Administrative Office of the Courts (AOC) Interpretation Resources

Court Interpreter Registry, Roster of Credentialed Court Interpreters and Listserv

The AOC maintains a statewide registry of individuals who indicate they have interpreting experience and have expressed interest in working in the courts. The registry includes information on the individuals credentialing status with the Arizona Court Interpreter Credentialing Program (ACICP). The court using interpreting services will determine the competence of the persons listed and their suitability for a given assignment. The registry is available to Court staff on the internet at <https://apps.azcourts.gov/registry>. Court staff needing to search the registry may request a login by contacting the AOC Language Access contact person.

The AOC also maintains a public Arizona Roster of Credentialed Court Interpreters. The public roster lists the name, language, credential level and contact information for those interpreters who have successfully earned an ACICP credential and who have consented to having their information appear in the public roster. The public roster is available on the Arizona Judicial Branch website at <https://www.azcourts.gov/interpreter/>.

Additionally, the 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 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 the Court to improve resource allocation and reduce time and costs associated with interpreter travel. The Court reached out to the AOC Language Access contact person in October 2020 for more information on VRI connectivity. It was determined that such a system is cost prohibitive at this time. The Court will explore other possible options that may be just as effective while not nearly as expensive.

B. Language Services Outside the Courtroom

The 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. The latter includes but are not limited to the various services and programs offered through the Court Administration office, the Clerk's office, the Probation offices, etc.

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 Court assists 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 is also 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 between LEP individuals and Court staff or providers of Court ordered services:

- Court staff interpreters and independent interpreter contractors;
- Bilingual employees (close to all Court employees speak English and Spanish);
- "I Speak" cards to identify the individual's primary language;

- Written information in Spanish on how to access and navigate the Court;
- Signage throughout the Court building in Spanish;
- Telephonic interpreter services (from contract interpreters or an agency);
- Video remote interpreting services.

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

- Employees who, for the most part (95% to 98%), are able to communicate in Spanish;
- Credentialed interpreters and telephonic language assistance;
- Bilingual family court services mediators for custody and visitation matters (or mediators who have access to qualified interpreters);
- Written informational and educational materials and instructions in Spanish; and
- Website links from the Court's website to the Supreme Court's Spanish translated webpage for Court forms and instructions and other language access related resources such as an online process for obtaining services (the latter is in addition to the information on the Court's website that is in Spanish).

C. Court Appointed or Supervised Personnel

The Court shall also ensure that Court appointed or supervised personnel, including but not limited to child advocates, appointed 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 Court currently uses forms and instructional materials translated into Spanish.

- A bevy of documents used by the various Court departments are available in the Spanish language. Some examples include conditions of probation, forms used by the self-represented litigant coordinator, etc. These documents are located in the offices where they are used.
- Through links on the Santa Cruz County Superior Court website, the Court makes use of the resources of large metropolitan county court systems, such as Maricopa and Pima, as well the AOC, where LEP litigants may be able to find a repository of vital documents already translated into multiple other languages. The most often used translated self-help documents are those listed on the Maricopa County Superior Court/Self Service Center website.
- Interpreters at court hearings also provide sight translations in Spanish of court documents and correspondence associated with the case. In addition, they translate various documents into Spanish that are posted on the Court's website. In the event a LEP person needs

assistance with Court issued documents, instructions or any vital documents in a language other than Spanish, Court staff will obtain the assistance needed through the vendor of remote interpreting services the Court uses for such purposes.

E. Websites/Online Access

The Court operates an Internet website, and the website is accessible to LEP persons. The site includes:

- A notice about the availability of language services written in Spanish and posted on the home page.
- A hyperlink to the Arizona Supreme Court's Spanish-translated webpage at <http://www.azcourts.gov/elcentrodeautoservicio>.
- Vital information directed to the general public concerning how to use court services is translated into Spanish.
- Vital information regarding changes to services or access due to emergencies is translated into Spanish.

IV. Court Staff and Volunteer Recruitment

A. Recruitment of Bilingual Staff for Language Access

The 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 having:

- Two full-time Court interpreters (with a third full-time position vacant at this time) on staff to meet the needs of our customers.
- Bilingual staff to serve at public counters and/or customer engagement points. Currently, anywhere from 95% to 98% of Court staff is bilingual in Spanish and English.

B. Recruitment of Volunteers for Language Access

The Court has not recruited or used volunteers to assist with language access but is open to doing so in the event the latter becomes necessary. However, as stated previously, the vast majority of Court staff is bilingual in English and Spanish. In essence, the need has not been there.

V. Judicial and Staff Training:

The Court is committed to providing language access training opportunities for all judicial officers and staff members. Training and learning opportunities will focus on and/or consist of:

- Continuously improving the skill sets of our staff interpreters;
- Ensuring staff is aware of what is required by Title VI of the Civil Rights Act;

- Having judges and staff who understand and appreciate diversity;
- Having judges and staff who are culturally competent;
- Making certain all judges and staff have a copy of the Court's LAP and are trained on it;
- Including the Court's LAP in new employee orientation training (for judges and non-judges);
- Providing new judges (locally and during the trial judge academy) with information on the use of court interpreters and language competency;
- Making available the AOC's Language Access in the Courtroom Training DVD;
- Making certain staff know about the AOC's language access online training videos and that they can be accessed at <http://www.azcourts.gov/educationservices/cojet-classroom/video-center>;
- Having interpreters provide candid feedback to judges on judges' practices in the courtroom as it relates to pace, length of their sentences, break frequency, preparation time between interpreters and parties, etc.;
- Ensuring there are staff members in every department who know how to access and/or make use of the Courts' remote interpreter service whenever a Court customer can only communicate in a language other than English or Spanish.

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 Court provides community outreach and education and seeks input from its LEP constituency to further improve services. Outreach and education efforts will include:

- Signage at the entrance to the Court building and on the Court website which makes it clear the Court can serve anyone, regardless of which language a person speaks or does not speak.
- Solicitation of input from all stakeholders and the public regarding language access to the Courts by requesting suggestions and the voicing of concerns through signage at the entrance to the Court building and on the Court website.

VII. Formal Complaint Process

If a LEP Court customer believes meaningful access to the Court was not provided to him or her, he/she may choose to file a complaint (which is attached to this LAP) with the Court Administrator (who serves as the Language Access Plan coordinator). Forms will be available through the Court Administration office and on the Court website. In addition, signage involving the latter will be posted in the Court building and on the Court's website. The Court's complaint process involves:

- Having a system where complaints may be hand delivered to the Court Administration office, mailed to the Court Administration office or e-mailed to the Court Administrator.

- Having Court staff ensure that any complaint that is received by them is provided to the Court Administrator without delay.
- Having the Court Administrator respond to any complaint, in English and in the complainant's language, within 30 days (the records will be maintained as public records).

VIII. Public Notification and Evaluation of LAP

A. LAP Approval and Notification

The Court's LAP is approved by the Presiding Judge and Court Administrator. Copies of the LAP will be provided to the Court Services Division of the AOC. 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 the Court's LAP will be provided to the public upon request. In addition, the plan will be posted on the Court website.

B. Evaluation of the LAP

The 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 once every two years.

Every two years 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. 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 includes:

- Number of LEP persons requesting court interpreters or 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
- Review of any language access complaints received during the time period.

C. Trial Court Language Access Plan Coordinator:

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D. AOC Language Access Contact:


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E. LAP Effective date: March 17, 2022

F. Approved by:

Presiding Judge:  _____

Date: 3/17/22

Deputy Court Administrator:  _____

Date: 3/17/22