

1 **CHINO VALLEY MUNICIPAL COURT**

2
3 **Language Access Plan (LAP)**

4
5
6 **I. Legal Basis and Purpose**

7
8 This document serves as the plan for the Chino Valley Municipal Court to provide to persons
9 with limited English proficiency (LEP) services that are in compliance with Title VI of the Civil
10 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–
11 42.112). The purpose of this plan is to provide a framework for the provision of timely and
12 reasonable language assistance to LEP persons who come in contact with the Chino Valley
13 Municipal Court.

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

20
21 **II. Needs Assessment**

22 **A. Statewide**

23 The State of Arizona provides court services to a wide range of people, including those who
24 speak limited or no English. From a statewide perspective, the following languages were listed
25 with the greatest number of speakers who spoke English less than “Very Well” in Arizona
26 (according to the American Community Survey estimate report from the U.S. Census Bureau
27 dated April 2012):

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

33
34 **B. Chino Valley Municipal Court**

35
36 The Chino Valley Municipal Court is responsible to provide services identified in this plan to all
37 LEP persons. However, the following list shows the foreign languages that are most frequently
38 used in this court’s geographic area.

- 39
40 1. Spanish

41
42 This information is based on data collected from requests by LEP persons over the last year.

44 **III. Language Assistance Resources**
45 **A. Interpreters Used in the Courtroom**

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

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

52
53 It is the responsibility of the private attorney, Public Defender or County Attorney to provide
54 qualified interpretation and translation services for witness interviews, pre-trial transcriptions
55 and translations and attorney/client communications during out of court proceedings.
56

57 **2. Determining the Need for an Interpreter in the Courtroom**
58

59 The Chino Valley Municipal Court may determine whether a court customer has limited English
60 proficiency. Identification of language needs at the earliest point of contact is highly
61 recommended. The need for a court interpreter may be identified prior to a court proceeding by
62 the LEP person or on the LEP person's behalf by counter staff, self-help center staff, family
63 court services, or outside justice partners such as probation/parole officers, attorneys, social
64 workers or correctional facilities. Courts should have a documented process to identify LEP
65 needs for parties with notation in the physical or electronic case file.
66

67 Signage throughout the court building indicating interpreter services are available may also help
68 to identify LEP individuals. The Chino Valley Municipal Court will display this sign at the
69 following locations: By the entrance into the courtroom and the front counter.
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.
76

77
78 **3. AOC Interpretation Resources**
79

80 Court Interpreter Registry and Listserv

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 interpreting
83 services will determine the competence of the persons listed. This roster is available to court
84 staff on the Internet at <http://www.interpreters.courts.az.gov>.

85 Additionally, AOC created a statewide listserv to allow courts to communicate via email on

86 court interpreter-related matters. The listserv is an excellent resource to locate referrals for
87 specific language needs. Access codes and instructions to join the listserv, may be obtained from
88 the AOC language access contact person.

89

90 Video Remote Interpreting

91 The AOC has installed video conferencing equipment at the State Courts building that will allow
92 courts with compatible technology to remotely conference an interpreter from the Phoenix metro
93 area or from another court jurisdiction into their court to improve resource allocation and reduce
94 time and costs associated with interpreter travel. Contact the AOC LAP contact for more
95 information on VRI connectivity and checklist for court proceedings most appropriate for video.

96

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

98

99 The Chino Valley Municipal Court is also responsible for taking reasonable steps to ensure that
100 LEP individuals have meaningful access to all court services and programs outside the
101 courtroom. Court services and programs include but are not limited to clerk offices.

102

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

110

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

113

- 114 • Staff court interpreters or independent interpreter contractors;
- 115 • Bilingual employees;
- 116 • “I Speak” cards, to identify the individual’s primary language;
- 117 • Written information in Spanish on how to access and navigate the court;
- 118 • Telephonic interpreter services from Language Line; and,
- 119 • A public court phone line with key instructions provided in Spanish to request court
120 services.

121

122

123 **C. Translated Forms and Documents**

124

125 The Arizona courts understand the importance of translating forms and documents so that LEP
126 individuals have greater access to the courts’ services. The Chino Valley Municipal Court
127 currently uses forms and instructional materials translated into Spanish.

128

- 129 • The court uses the Order of Protection and Harassment Injunction Forms available on the

130 website from <http://ajinweb/selfserv/forms.htm>.

- 131 • The court utilizes all forms from
132 <http://www.azcourts.gov/elcentrodeautoservicio/Home.aspx>

133
134 **E. WEBSITE/ONLINE ACCESS**

135 The court operates an Internet website, it is accessible to LEP persons and will include, at a
136 minimum:

- 137 • A notice about the availability of language services written in Spanish and posted on the
138 home page. <http://www.chinoaz.net>
139 • A hyperlink to: Arizona Supreme Court's Spanish-translated webpage at
140 <http://www.azcourts.gov/elcentrodeautoservicio/FormulariosdeAutoservicio.aspx>.

141
142 Interpreters at court hearings are expected to provide sight translations of court documents and
143 correspondence associated with the case.

144
145 **IV. Court Staff and Volunteer Recruitment**

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

147 The Chino Valley Municipal Court is an equal opportunity employer and recruits and hires
148 bilingual staff to serve its LEP constituents. Primary examples include but are not limited to:

- 149
150 • Court interpreters to serve as regular full-time or part-time employees or regular
151 interpreter contractors of the court; the court currently has one.
152 • Bilingual staff to serve at public counters, the court currently has one; and
153 • Bilingual staff available on call to assist with contacts from LEP individuals, as needed.

154
155 **V. Judicial and Staff Training:**

156
157 The Chino Valley Municipal Court is committed to providing language access training
158 opportunities for all judicial officers and staff members. Training and learning opportunities
159 currently offered will be expanded or continued as needed. Those opportunities include

- 160 • LAP training;
161 • Staff attendance in Spanish training, provided by the court in partnership with local
162 colleges and institutions to offer these classes on site and free to employees on court time,
163 or through tuition reimbursement;
164 • AOC's Language Access Online Training Videos

165
166 **VI. Public Outreach and Education**

167 Due to the limited population of those needing interpreter services, public notification
168 and evaluation is not applicable at this time. The court will monitor the need for public
169 notification and evaluation and provide in the future as deemed necessary.

170

171 **VII. Formal Complaint Process**

172 If an LEP court customer believes meaningful access to the courts was not provided to
173 them, they may choose to file a complaint with the trial court's Court Administrator.

- 174 • A complaint form will be given to the complainant.
- 175 • The court will respond to any complaint within 30 days and the records will be
176 maintained as public records.
- 177 • The court will indicate how to file a complaint and to whom the complaint should be
178 directed.
- 179 • The Court must attach the complaint form (English/Spanish) to the LAP.
- 180 • Ensure that translated versions of the complaint form are available in multiple locations,
181 including, but not limited to:
 - 182 ○ Forms posted on the court's website and
 - 183 ○ Hard copy forms available at the counters.

184
185 **VIII. Public Notification and Evaluation of LAP**

186
187 **A. LAP Approval and Notification**

188 The Chino Valley Municipal Court's LAP is approved by the presiding judge and court
189 executive officer. Upon approval, please forward a copy to the AOC Court Services Division.
190 Any revisions to the plan will be submitted to the presiding judge and court executive officer for
191 approval, and then forwarded to the AOC. Copies of Chino Valley Municipal Court's LAP will
192 be provided to the public on request.

193
194 **B. Evaluation of the LAP**

195 The Chino Valley Municipal Court will routinely assess whether changes to the LAP are needed.
196 The plan may be changed or updated at any time but reviewed not less frequently than annually.

197
198 Every year, the court's Court Administrator will review the effectiveness of the court's LAP and
199 update it as necessary. The evaluation will include identification of any problem areas and
200 development of corrective action strategies. From time to time, the court may consider using a
201 survey sampling of data collection for a limited time period which involves assessing language
202 access requests to assist in the evaluation of the LAP.

203
204 Elements of the evaluation will include:

- 205 • Number of LEP persons requesting assistance;
- 206 • Assessment of current language needs to determine if additional services or translated
207 materials should be provided;
- 208 • Solicitation and review of feedback from LEP communities within the county;
- 209 • Assessment of whether court staff adequately understand LEP policies and procedures
210 and how to carry them out;
- 211 • Review of feedback from court employee training sessions; and,

- 212 • Customer satisfaction feedback as indicated on the access and fairness survey, if
213 administered by the court during this time period.
214 • Review any language access complaints received during this time period.
215

216 **C. Trial Court Language Access Plan Coordinator:**

217 Ronda Apolinar
218 1988 North Road 1 West, #401
219 Chino Valley, AZ 86323
220 928-636-4534, rapolinar@courts.az.gov
221

222

223 **D. AOC Language Access Contact:**

224 Amy Wood
225 Court Services Division
226 Administrative Office of the Courts
227 1501 W. Washington Street, Suite 410
228 Phoenix, AZ 85007
229 (602) 452-3337, awood@courts.az.gov
230

231 **E. LAP Effective date:** August 1, 2015
232

233 **F. Approved by:**

234

235 Presiding Judge:	Catherine J. Kelley	Date: September 24, 2015
----------------------------	---------------------	--------------------------

236		
237 Court Administrator :	Ronda Apolinar	Date: September 24, 2015

238
239
240
241
242
243
244
245
246
247

Chino Valley Municipal Court

Limited English Proficiency (LEP) Complaint Form

248
249
250
251
252
253
254
255
256
257

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.

258
259
260

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 Superior Court of Arizona in Yavapai County, ATTN: Language Access Plan Coordinator, 120 S. Cortez, Prescott, AZ 86303.

261

PLEASE COMPLETE AND SIGN:

262

I. Complainant Information:

263

Name: _____

264

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

265

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

266

Primary Language: _____

267

II. Complaint Description:

268

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

269

270

Name of individual (s) involved if known: _____

271

Address where incident occurred: _____

272

Date of incident: _____

273

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

274

275

276

277

278

Signature _____ Date: _____

279
280

The Superior Court, Justice Courts, Adult Probation and Juvenile Probation in Yavapai County are committed to improve access to its programs, services and activities for persons who are Limited English Proficient.

Chino 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 Superior Court of Arizona in Yavapai County, ATTN: Language Access Plan Coordinator, 120 S. Cortez, Prescott, AZ 86303.

Llene el formulario a continuación y firmelo 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: _____