

CHINO VALLEY MUNICIPAL COURT

Language Access Plan (LAP)

I. Legal Basis and Purpose

This document serves as the plan for the Chino 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 Chino 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 2014):

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

B. Chino Valley Municipal Court

The Chino Valley Municipal Court is responsible to provide services identified in this plan 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

This information is based on data collected in reference to requests by LEP persons over the last year for Spanish interpretation.

45 **III. Language Assistance Resources**

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

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

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51 In the Chino Valley Municipal Court, court interpreters will be provided in all courtroom
52 proceedings at no cost to all LEP witnesses; litigants; victims; parents, guardians, and family
53 members of minor witnesses, victims, and/or litigants; as well as any other person whose
54 presence or participation is necessary or appropriate as determined by the judicial officer.

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

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

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

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

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

79
80 **3. AOC Interpretation Resources**

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82 Court Interpreter Registry and Listserv

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

87
88 Additionally, AOC created a statewide listserv to allow courts to communicate via email on

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

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93 Video Remote Interpreting

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

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

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102 The Chino Valley Municipal Court is also responsible for taking reasonable steps to ensure that
103 LEP individuals have meaningful access to all court services and programs outside the
104 courtroom. Court services and programs include but are not limited to self-help centers, clerk
105 offices, intake officers, cashiers, and records room.

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107 **1. Assistance to Understand Court Procedures and Policies**

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109 Services offered by the court generally to English-speaking customers pursuant to the
110 Employee Code of Conduct (ACJA §1-303) must also be provided to LEP litigants in their
111 language.

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113 **2. Assistance to Fill-out Court Forms and Pleadings**

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115 The Chino Valley Municipal Court will assist in the filling-out of court forms for those
116 LEP court customers who are unable to do so either by themselves or with the assistance
117 of another competent adult proficient in English and able to render assistance in a timely
118 manner.

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120 **3. Court-ordered Services and Programs**

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

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

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- 133 • Staff court interpreters or independent interpreter contractors;
- 134 • Bilingual employees;
- 135 • “I Speak” cards, to identify the individual’s primary language;
- 136 • Written information in Spanish on how to access and navigate the court;
- 137 • Multilingual signage throughout courthouse locations in the following languages:
- 138 Spanish;
- 139 • Telephonic interpreter services, from Language Line.

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

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- 144 • Self-help center services that include telephonic language assistance;
- 145 • Spanish forms may be accessed through the Administrative Offices of the Court website
146 <http://www.azcourts.gov/elcentrodeautoservicio>

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

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150 The Chino Valley Municipal Court also shall ensure that court appointed or supervised personnel
151 provide language services, including interpreters as part of their service delivery system to LEP
152 individuals.

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154 **D. Translated Forms and Documents**

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

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- 160 • The court has translated various vital documents into other languages: Petitions for Order
161 of Protection and Harassment Injunction, Release Order, Waiver of Counsel, and
162 Financial Questionnaire.

163

164 Petitions for Order of Protection and Harassment Injunction will be located on the Town
165 of Chino Valley website www.chinoaz.net and the clerk’s desk. Release Orders are available to
166 the Chino Valley Municipal Court Staff on the 1a Master. Waiver of Counsel is given to each
167 defendant in Spanish and English before arraignment. Financial Questionnaire will be given to
168 Spanish speaking by the Judge in the courtroom.

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170 **1. Sight Translation**

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172 The court will provide assistance so LEP persons may understand court-issued documents
173 provided in English through sight translation or other reasonable means.

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175 **E. Website/Online Access**

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

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- 180 • A notice about the availability of language services written in Spanish and posted on the
181 home page.
 - 182 • A hyperlink to: Arizona Supreme Court’s Spanish-translated webpage at
183 <http://www.azcourts.gov/elcentrodeautoservicio>
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185 **IV. Court Staff and Volunteer Recruitment**

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

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

- 191
- 192 • Court interpreters to serve as regular full-time or part-time employees or regular
193 interpreter contractors of the court.
 - 194 • Bilingual staff to serve at public counters and or self-help centers
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196 **B. Recruitment of Volunteers for Language Access**

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198 The court also recruits and uses volunteers to assist with language access in the following areas:

- 199
- 200 • In self-help centers, to assist LEP users;
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203 **V. Judicial and Staff Training:**

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

- 208 • Staff attendance in Spanish training, provided by the court in partnership with local
209 colleges and institutions to offer these classes on site and free to employees on court time,
210 or through tuition reimbursement;
- 211 • New employee orientation training; and,
- 212 • Judicial officer orientation on the use of court interpreters and language competency.
213 • AOC’s Language Access Online Training Videos
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215 **VI. Public Outreach and Education**

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217 **A. General**

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219 To communicate with the court’s LEP constituents the court will monitor the need for them and
220 make accessible to LEP persons as they are developed.

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B. Videos, Webinars, On-line Classes, In-person Classes and Other Similar Instructional Methods

New public-facing videos designed to assist litigants or the public more broadly shall be in English and Spanish.

Those videos, webinars, and instructional materials currently in existence which are deemed to be “vital” shall be made available in Spanish.

The court will determine whether any existing videos, webinars, and instructional materials should be made available in languages other than English and Spanish by considering the Department of Justice’s four-factor analysis.

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 court administrator. 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:
 - The clerk will date stamp the complaint form
 - The complaint will be given to the court administrator
 - The court administrator will advise the judge of the complaint
 - The complaint will be translated into English
 - The court will respond to the complaint within 30 days and the records will be maintained as public records
- The Court has attached the complaint form (English/Spanish) to the LAP. In the alternative, the complaint forms may be located at: <http://www.chinovalley.net>
- 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 Chino Valley Municipal Court’s LAP is approved by the presiding judge. Upon approval, please forward a copy to the AOC Court Services Division. Any revisions to the plan will be

265 submitted to the presiding judge and court administrator for approval, and then forwarded to the
266 AOC. Copies of Chino Valley Municipal Court's LAP will be provided to the public on request.
267 In addition, the Chino Valley Municipal Court LAP may be located at:
268 <http://www.chinovalley.net>

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270 **B. Evaluation of the LAP**

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272 The CHINO VALLEY MUNICIPAL COURT will routinely assess whether changes to the LAP
273 are needed. The plan may be changed or updated at any time but reviewed not less frequently
274 than once a year.

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276 Every 2 years the court's plan coordinator will review the effectiveness of the court's LAP and
277 update it as necessary. The evaluation will include identification of any problem areas and
278 development of corrective action strategies. From time to time, the court may consider using a
279 survey sampling of data collection for a limited time period which involves assessing language
280 access requests to assist in the evaluation of the LAP.

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282 Elements of the evaluation will include:

- 283 • Number of LEP persons requesting language assistance;
- 284 • Assessment of current language needs to determine if additional services or translated
285 materials should be provided;
- 286 • Assessment of whether court staff adequately understand LEP policies and procedures
287 and how to carry them out;
- 288 • Review of feedback from court employee training sessions; and,
- 289 • Customer satisfaction feedback as indicated on the access and fairness survey, if
290 administered by the court during this time period.
- 291 • Review any language access complaints received during this time period.

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

294 Ronda Apolinar
295 1988 North Road 1 West, #401
296 Chino Valley, AZ 86323

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

299 David Svoboda
300 Court Services Division
301 Administrative Office of the Courts
302 1501 W. Washington Street, Suite 410
303 Phoenix, AZ 85007
304 (602) 452-3965, dsvoboda@courts.az.gov

305
306 **E. LAP Effective date:** January 1, 2017

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308 **F. Approved by:**

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Presiding Judge: Catherine J Kelley

Date: December 19, 2016

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Court Administrator: Ronda Apolinar

Date: December 19, 2016

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