

Marana Municipal Court Language Access Plan (LAP)

I. Legal Basis and Purpose

This document serves as the plan for the Marana 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 Marana 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. Marana Municipal Court

The Marana Municipal Court is responsible for providing 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
2. Mandarin
3. Vietnamese
4. Korean
5. Punjabi

This information is based on data collected from Marana Municipal Court records.

III. Language Assistance Resources

A. Interpreters Used in the Courtroom

1. Providing Interpreters in the Courtroom

In the Marana Municipal Court, court interpreters will be 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.

It is the responsibility of the private attorney, court appointed defense attorney, or Town Prosecutor 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 Marana Municipal Court may determine whether a court customer has limited English proficiency. Identification 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, or outside justice partners such as attorneys or jail staff. Once the court has identified parties with LEP needs, it will be noted in the physical file and electronic case docket.

Signage in the court building indicating interpreter services are available may also help to identify LEP individuals. The Marana Municipal Court will display signage in the court lobby to assist LEP individuals.

The need for an interpreter also may 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, even after the court has made all reasonable efforts to locate one, as previously outlined in this plan, the case will be postponed and continued on a date when an interpreter can be provided.

3. AOC Interpretation Resources

Court Interpreter Registry and Listserv

The AOC maintains a statewide roster of individuals who indicate they have interpreting experience and have expressed interest in working in the courts. The court using interpreting services 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. Access codes and instructions to join the listserv, may be obtained from the AOC language access contact person.

Video Remote Interpreting

The AOC has installed 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 their court to improve resource allocation and reduce time and costs associated with interpreter travel. Contact the AOC LAP contact for more information on VRI connectivity and checklist for court proceedings most appropriate for video.

B. Language Services Outside the Courtroom

The Marana Municipal 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. Court services and programs include but are not limited to self-help centers, clerk offices, intake officers, cashiers, and records room.

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 Marana Municipal Court will assist 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. Assistance will be provided by engaging an interpreter remotely if an interpreter is not available on-site. Court staff will then transcribe verbatim the customer's answers to form questions. A notation shall be made on the form indicating to the court how the information was obtained.

3. Court-ordered Services and Programs

The court also is 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 with LEP individuals and court staff or providers of court-ordered services:

- Independent interpreter contractors;
- Bilingual employees;
- “I Speak” cards to identify native language;
- Telephonic interpreter services, (from contract interpreters or an agency); and,
- Video remote interpreting services (when available)
- The terms of the court’s contracts with providers of court-ordered services.

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

- Website link from court’s website to the Supreme Court’s Spanish translated webpage for court forms and instructions;
- The courts’ LAP and complaint form are available online.

C. Court Appointed or Supervised Personnel

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

1. Sight Translation

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

E. Website/Online Access

The court will ensure the court’s website is accessible to LEP persons and will include, at a minimum:

- A notice about the availability of language services written in Spanish and posted on the home page.
- A hyperlink to: Arizona Supreme Court’s Spanish-translated webpage at <http://www.azcourts.gov/elcentrodeautoservicio/>.

IV. Court Staff Recruitment

A. Recruitment of Bilingual Staff for Language Access

The Marana Municipal 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:

- Bilingual staff available to assist with contacts from LEP individuals, as needed.

V. Judicial and Staff Training:

The Marana Municipal Court is 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

- LAP training
- New employee orientation training
- Judicial officer orientation on the use of court interpreters and language competency
- AOC’s Language Access in the Courtroom Training DVD
- AOC’s Language Access Online Training Videos

VI. Public Outreach and Education

A. General

The need for public outreach or education programs will be monitored and made accessible to LEP persons as they are developed.

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.

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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 Court Administrator.

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:

- In person
- Via email, mail, or fax

The Court has attached the complaint form (English/Spanish) to the LAP. In the alternative, the complaint forms may be located at:

<https://www.azcourts.gov/selfservicecenter/Forms/Language-Access-Complaint>. 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 in the lobby.

VIII. Public Notification and Evaluation of LAP

A. LAP Approval and Notification

The Marana Municipal Court's LAP is approved by the Presiding Judge and Court Administrator. A copy has been provided to the AOC Court Services Division. 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 Marana Municipal Court's LAP will be provided to the public on request, and will be available on the court website

B. Evaluation of the LAP

The Marana Municipal 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 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 will include:

- Number of LEP persons requesting court interpreters and 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 any language access complaints received during this time period.

C. Trial Court Language Access Plan Coordinator:

Court Administrator
11555 W. Civic Center Dr., Bldg. C
Marana, AZ 85653
(520) 382-2700, court@maranaaz.gov

D. AOC Language Access Contact:

David Svoboda
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E. LAP Effective date: 4/15/2020

F. Approved by:

Presiding Judge: _____ Date: _____
Laine McDonald

Court Executive Officer: _____ Date: _____
Trudi Shumate