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Phoenix Municipal Court
Language Access Plan (LAP)

I. Legal Basis and Purpose

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

The Phoenix 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. Arabic
3. Burmese
4. Vietnamese

45 5. Swahili

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47 This information is based on data collected by the City of Phoenix Municipal Court's Court
48 Interpreter Summary. This summary is produced monthly, by the Court Interpreters Section of
49 the Management Services Division. The summary specifies the work of individuals providing
50 interpreter services within the court, as well as the various languages for which interpreter
51 services are provided to persons with limited English proficiency.

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53 **III. Language Assistance Resources**

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

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

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

63

64 It is the responsibility of the private attorney, City of Phoenix Public Defender or City of
65 Phoenix Prosecutor to provide qualified interpretation and translation services for witness
66 interviews, pre-trial transcriptions and translations and attorney/client communications during
67 out of court proceedings. Phoenix Municipal Court maintains a standing Request For
68 Qualifications ("RFQ") inviting providers of interpretation services to apply to enter into
69 contracts with the City to be included on a qualified vendor list. Resulting interpreter contracts
70 provide that in addition to the Court, the Public Defender Office and City Prosecutor may call
71 on these providers to provide interpretation services in accordance with the terms and fee
72 schedule set by the contract.

73

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

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76 The Phoenix Municipal Court may determine whether a court customer has limited English
77 proficiency. Identification of language needs are determined at the earliest point of contact. The
78 need for a court interpreter may be identified prior to a court proceeding by the LEP person or on
79 the LEP person's behalf by counter staff or outside justice partners such as law enforcement, the
80 City of Phoenix Prosecutor's Office, or the City of Phoenix Public Defender's Office. The
81 Phoenix Municipal Court has a process in place identifying LEP needs for parties with a notation
82 in the physical or electronic case file.

83

84 Signage throughout the court building indicating interpreter services are available may also help
85 to identify LEP individuals. The Phoenix Municipal Court will display these signs at the
86 following locations: exterior areas of the Courthouse windows, customer front lobby metal
87 detector entrance, information desk, customer service counters, and Court Administration
88 reception desk.

89
90 The need for an interpreter also may be made known in the courtroom at the time of the
91 proceeding. In a case where the court is mandated to provide an interpreter, but one is not
92 available at the time of the proceeding, even after the court has made all reasonable efforts to
93 locate one, as previously outlined in this plan, the case will be postponed and continued on a date
94 when an interpreter can be provided.

96 **3. AOC Interpretation Resources**

98 Court Interpreter Registry and Listserv

99 The Administrative Office of the Courts (AOC) maintains a statewide roster of individuals who
100 indicate they have interpreting experience and have expressed interest in working in the courts.
101 When Phoenix Municipal Court staff identify situations where interpretation services are needed
102 but current providers on the qualified vendor list lack the necessary resources, the Court will
103 reach out to individuals listed on the AOC statewide roster to determine if a qualified person or
104 persons are listed who are willing to provide the needed services. The AOC roster is available to
105 court staff on the Internet at <http://www.interpreters.courts.az.gov>.

106
107 Additionally, AOC created a statewide listserv to allow courts to communicate via email on
108 court interpreter-related matters. The listserv is an excellent resource to locate referrals for
109 specific language needs. Phoenix Municipal Court administrators have obtained access codes
110 and instructions to join the listserv from the AOC language access contact person.

111
112 Video Remote Interpreting
113 The AOC has installed video conferencing equipment at the State Courts building that will allow
114 courts with compatible technology to remotely conference an interpreter from the Phoenix metro
115 area or from another court jurisdiction into their court to improve resource allocation and reduce
116 time and costs associated with interpreter travel. Phoenix Municipal Court administrators
117 maintain AOC LAP contact information to access VRI connectivity and a checklist for court
118 proceedings most appropriate for video.

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

121
122 The Phoenix Municipal Court recognizes that it is responsible for taking reasonable steps to
123 ensure that LEP individuals have meaningful access to all court services and programs outside
124 the courtroom. Accordingly, Court administrators maintain a list of Court services and programs
125 that includes but is not limited to self-help centers, clerk offices, intake officers, cashiers, and
126 records room.

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

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

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2. Assistance to Fill-out Court Forms and Pleadings

The Phoenix 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.

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

- Staff court interpreters or independent interpreter contractors;
- Bilingual employees; When LEP customers seek out assistance outside the courtroom, we try to meet their needs by using the skills of our employees;
- “I Speak” cards, to identify the individual’s primary language;
- Written information in Spanish on how to access and navigate the court;
- Multilingual signage throughout courthouse locations in the following languages: Spanish; Arabic, and Vietnamese.
- Telephonic interpreter services, (from contract interpreters or an agency); and,
- A public court phone line with key instructions provided in Spanish to request court services.
- The terms of the court’s contracts with providers of court-ordered services.

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

- Staff court interpreters or independent interpreter contractors;
- Bilingual counter staff;
- Telephonic language assistance;
- Written informational and educational materials and instructions in Spanish.
- Website link from court’s website to the Supreme Court’s Spanish translated webpage for court forms and instructions and other language access related resources such as the courts’ LAP and complaint form and process are made available online at <http://www.azcourts.gov/selfservicecenter/Self-Service-Forms#ComplaintForm>

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C. Court Appointed or Supervised Personnel

The Phoenix Municipal Court shall also ensure that court appointed or supervised 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 Phoenix Municipal Court currently uses forms and instructional materials translated into Spanish.

- The court has translated various vital documents into Spanish: Order of Protection informational brochure 'Helping You Feel Safer'; Protective Order Service Information; Vehicle Impound Information; Children are Priceless Passengers Information; Fine Payment Directive; Financial Screening Application for Payment Plan; Courtroom Assignment Information; Confinement Order Rules and Regulations; Healthcare Instructions; Work Release and Self-surrender information; Diversion Program Brochures; Compliance Assistance Program Information; Notice of Interpreting Services in Spanish, Vietnamese and Arabic.

These documents will be located at appropriate sites within the Court. When appropriate, Court administrators and staff also inform LEP persons that additional forms can be found in the Arizona Supreme Court's Spanish-translated webpage at <http://www.azcourts.gov/selfservicecenter/Self-Service-Forms#ComplaintForm>

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. Interpreters are expected to provide sight translations of court documents associated with the case.

E. Website/Online Access

Phoenix Municipal Court operates an Internet Website at: <https://www.phoenix.gov/court/> and ensures the website is accessible to LEP persons and includes at minimum:

- A notice about the availability of language services written in Spanish and posted on the home page.
- Current Phoenix Municipal Court Language Access Plan

- 221 • Language Access Complaint Form
- 222 • A hyperlink to: Arizona Supreme Court's Spanish-translated webpage at
- 223 <http://www.azcourts.gov/selfservicecenter/Self-Service-Forms#ComplaintForm>
- 224
- 225

226 **IV. Court Staff and Volunteer Recruitment**

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

229 The Phoenix Municipal Court provides shadowing opportunities for current court staff and
230 potential contract employees. The shadowing elaborates on the role of an interpreter and the
231 associated ethical requirements associated with interpreting.
232

233 The Phoenix Municipal Court is an equal opportunity employer and recruits and hires bilingual
234 staff to serve its LEP constituents. Primary examples include but are not limited to:
235

- 236 • Court interpreters to serve as regular full-time or part-time employees or regular
- 237 interpreter contractors of the court.
- 238 • Bilingual staff to serve at public counters and or self-help centers; and
- 239 • Bilingual staff available on call to assist with contacts from LEP individuals, as needed.
- 240

241 **B. Recruitment of Volunteers for Language Access**

242 The court also recruits and uses volunteers to assist with language access in the following areas:
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- 244 • At public counters to provide interpretive services between staff and the LEP public.
- 245

246 **V. Judicial and Staff Training:**

247 The Phoenix Municipal Court is committed to providing language access training opportunities
248 for all judicial officers and staff members. Training and learning opportunities currently offered
249 will be expanded or continued as needed. Those opportunities include:
250

- 251 • Interpreter coordinator training;
- 252 • Diversity Training;
- 253 • Cultural competency training;
- 254 • LAP training;
- 255 • Language classes available through the City of Phoenix Human Resources Department's
256 Employee Development Division.
- 257 • New employee orientation training;
- 258 • Judicial officer orientation on the use of court interpreters and language competency.
- 259 • AOC's Language Access in the Courtroom Training DVD and,
- 260 • AOC's Language Access Online Training Videos
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VI. Public Outreach and Education

A. General

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

- Request for Qualifications (RFQ) on the City of Phoenix Court Internet Website
- Customer Service Survey Cards
- A notice about the availability of language services written in Spanish and posted on <https://www.phoenix.gov/court>
- Current Phoenix Municipal Language Access Plan
- Language Access Complaint Form
- A hyperlink to: Arizona Supreme Court’s Spanish-translated webpage at <http://www.azcourts.gov/selfservicecenter/Self-Service-Forms#ComplaintForm>
- Public service videos in English and Spanish explaining the Phoenix Municipal Court Compliance Assistance Program (“CAP”) have been produced and will be posted to public access websites for the City of Phoenix and the Court.

The court will solicit input from the LEP community and its representatives through court survey cards and will seek to inform community service organizations on how LEP individuals can access court services.

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. Public service videos in English and Spanish explaining the Phoenix Municipal Court Compliance Assistance Program (“CAP”) have been produced and will be posted to public access websites for the City of Phoenix and the Court.

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 additional 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 Management Services Court Administrator. The court has a complaint process that includes at a minimum, the following:

- The court will respond to any complaint within 30 days and the records will be maintained as public records.
- A complaint may be filed in person or by mail and directed to the Phoenix Municipal Court at 300 West Washington St. Phoenix AZ 85003 to the attention of Management Services Court Administrator.
- A complaint form can be found at <http://www.azcourts.gov/selfservicecenter/Self-Service-Forms#ComplaintForm> and at <https://www.phoenix.gov/court>
- 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 Phoenix Municipal Court's LAP is approved by the presiding judge and court executive officer. Upon approval, a copy will be forwarded to the AOC Court Services Division. Any revisions to the plan will be submitted to the Chief Presiding Judge and Executive Court Administrator for approval, and then forwarded to the AOC. Copies of Phoenix Municipal Court's LAP will be provided to the public on request. In addition, the court will post this plan on the court website at <https://www.phoenix.gov/court>

B. Evaluation of the LAP

The Phoenix 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 once a year.

Every year the court's Language Access Specialist 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 Spanish court interpreters and language assistance.
- Assessment of current language needs to determine if additional services or translated materials should be provided;
- Solicitation and review of feedback from LEP communities within the county;
- Assessment of whether court staff adequately understand LEP policies and procedures

- 352 and how to carry them out;
- 353 • Review of feedback from court employee training sessions; and,
- 354 • Customer satisfaction feedback as indicated on the access and fairness survey, if
- 355 administered by the court during this time period.
- 356 • Review any language access complaints received during this time period.
- 357

358 **C. Trial Court Language Access Plan Coordinator:**
359 **Cindy Price**

360

361 **D. AOC Language Access Contact:**
362 David Svoboda
363 Court Services Division
364 Administrative Office of the Courts
365 1501 W. Washington Street, Suite 410
366 Phoenix, AZ 85007
367 (602) 452-3965, dsvoboda@courts.az.gov

368 **E. LAP Effective date: March 1, 2017**

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371 **F. Approved by:**

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373 Presiding Judge:

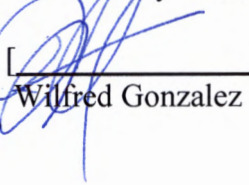

[Signature] B. Don Taylor III

Date: [3/1/17]

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376 Court Executive Officer:


[Signature] Wilfred Gonzalez

Date: [3/1/17]