

TEMPE MUNICIPAL COURT

Language Access Plan

I. Legal Basis and Purpose

This document serves as the plan for Tempe 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 parties who request an interpreter while at Tempe 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

Tempe Municipal Court is responsible for providing services identified in this plan to all LEP persons. However, the following list shows the foreign languages for which interpreting services were most frequently provided in the last fiscal year.

1. Spanish
2. Mandarin
3. Arabic
4. Vietnamese
5. Chuukese

Interpreters were provided for 20 different languages during the 2017/18 fiscal year. This information was obtained from Tempe Municipal Court 2017/18 case statistics.

III. Language Assistance Resources

A. Interpreters Used in the Courtroom

1. Providing Interpreters in the Courtroom

In Tempe Municipal Court, court interpreters will be provided in all courtroom proceedings at no cost to all LEP court customers including witnesses, jurors, victims and parents, guardians and family members of minors as well as any other person who requests an interpreter.

It is the responsibility of the private attorney, Court Appointed Attorney or County or City

Attorney 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

Tempe Municipal Court may determine whether a court customer has limited English proficiency. Early identification of language needs is a priority and may be done 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 police, victim advocates and attorneys or by an LEP party's request either in person, by telephone or in writing. The need for an interpreter will be noted in the Court's electronic case file either by updating the language field or making a note in the register of actions.

Tempe Municipal Court has signs in the police/court lobby and in the lobbies of both the civil and criminal divisions to help direct Spanish speakers.

The need for an interpreter may also be made known in the courtroom at the time of the proceeding. In cases when an interpreter has been requested and all reasonable efforts to find one have failed, the case will be postponed and continued to a date when an interpreter can be provided. In rare cases, when it has been impossible to obtain an on-site interpreter, telephone interpretation services may be used as a last resort.

3. AOC Interpretation Resources

Tempe Municipal Court makes use of the registry of statewide interpreters and the interpreter listserv to locate interpreters for less frequently encountered languages and to widen the selection of interpreters for all languages. As a preference, the Court will hire interpreters who are credentialed through the State's program or, in the case of out of state interpreters, are credentialed through another state or federal program.

B. Language Services outside the Courtroom

Tempe Municipal Court also ensures that LEP individuals have meaningful access to all court services and programs outside the courtroom including cashiers, court services and programs and obtaining records.

The Court provides assistance to all parties to understand court policies and procedures, irrespective of language. Where possible, parties are assisted by either bilingual staff, through translated materials and/or an interpreter who is present in person or by telephone.

Where parties require immediate assistance to complete paperwork for use in the courtroom, such as petitions for Orders of Protection or Injunctions against Harassment, they may be assisted in the following ways:

- LEP parties who speak Spanish: the court interpreter will transcribe their statements

and assist in recording the necessary details, afterwards reading back and verifying the information. The interpreter will then indicate on the form who transcribed the information.

- LEP parties who speak a language other than Spanish: where an interpreter is available onsite, the same procedure will be followed as for Spanish speaking parties.
- LEP parties who speak a language other than Spanish: where no onsite interpreter is present and cannot be present within a reasonable time, a telephone interpreter will be used to interpret the information and statement given by the LEP party which will then be transcribed by the court interpreter or another member of staff. Details of the interpreter and transcriber will then be noted as in the previous scenarios.
- At the Court's discretion, the written form may be waived and the LEP party examined with the use of an onsite or telephone interpreter while an oral record is created which may later be transcribed if necessary indicating that the original source of the information is an oral record.

To facilitate communication between LEP individuals and court staff, Tempe Municipal Court uses the following resources:

- Staff court interpreters or independent interpreter contractors;
- Bilingual employees;
- "I Speak" cards, to identify the individual's primary language;
- Written information in Spanish on how to access and navigate the court;
- Signs in Spanish located throughout court building;
- Telephonic interpreter services, (from contract interpreters or an agency);
- and,
- A court public phone line with key instructions in Spanish to request court services.

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

- Leaflets and forms in Spanish including Protective Order petitions, 'Personal Safety Plan' leaflets and 'Your Rights' leaflets and
- All forms necessary for individuals with business in Tempe Municipal Court are also available on the Court's website at www.tempe.gov/city-hall/city-court/court-forms-english-and-spanish.

C. Court Appointed or Supervised Personnel

Tempe Municipal Court also ensures 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 its service delivery system to LEP individuals.

D. Translated Forms and Documents

Tempe Municipal Court understands the importance of translating forms and documents so LEP individuals have greater access to the court's services. The following forms are available in Spanish:

- Protective Order petitions
- Payment Contracts
- Public Defender applications
- 'Your Rights' and 'Personal Safety Plan' leaflets
- Application to Set Aside Judgment
- Blank Motion
- Bond Information Sheet
- Credit card Authorization
- Criminal Motion to Continue
- Defendant Guide for Protective Orders
- Protective Order Petition
- Request for Court records
- Subpoena Information Sheet

These documents are located in the first and second floor lobbies of the Civil and Criminal Divisions and/or on the Tempe Municipal Court website (www.tempe.gov/city-hall/city-court/court-forms-english-and-spanish).

Tempe Municipal Court can also provide Protective Order petitions in Chinese, Arabic and Vietnamese from the Supreme Court website.

1. Sight Translation

The court will provide assistance so LEP persons may understand court-issued documents provided in English through sight translation by a qualified interpreter. Where this is impractical due to length, complexity or legibility, the document's contents may be explained by a bilingual member of court staff, in accordance with the pertinent canons and codes of conduct, or by a member of staff in combination with a qualified interpreter.

E. Website/online access

Tempe Municipal Court's website address is <http://www.tempe.gov/city-hall/city-court>. The availability of language services is noted in English and Spanish on the home page. The Court Forms page contains forms and information in English and Spanish as well as a link to the Arizona Supreme Court website for forms available in Arabic, Chinese and Vietnamese. The Other Court/Law Resources page contains a link to the Arizona Supreme Court's Spanish webpage.

IV. Court Staff and Volunteer Recruitment

A. Recruitment of Bilingual Staff for Language Access

Tempe Municipal Court is an equal opportunity employer and recruits and hires bilingual staff to serve its LEP constituents. Primary examples are:

- Court interpreters to serve as permanent employees of the court;
- Bilingual staff to serve at public counters and by phone.

B. Recruitment of Volunteers for Language Access

Tempe Municipal Court does not currently use volunteers to assist with language access issues. This policy will be reviewed regularly.

V. Judicial and Staff Training

Tempe 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

- Staff Interpreter training;
- Diversity Training;
- Cultural competency training;
- LAP training;
- Basic Spanish for customer service for interested staff;
- New employee orientation training; and,
- 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

The Tempe Municipal Court has various public information and education pamphlets translated into Spanish available in the court lobby. Public outreach and education opportunities and needs will be reviewed annually.

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 Language Access Plan Coordinator. Complaint forms are available on the Tempe Municipal Court website and at <http://www.azcourts.gov/selfservicecenter/Self-Service-Forms#ComplaintForm>.

- 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:
 - Mailed or delivered to Tempe Municipal Court, Alfred Gonzalez, Court Interpreter and Language Access Plan Coordinator, 140 E. Fifth Street, Suite 200, Tempe, AZ 85281
 - Emailed to court-inquiries@tempe.gov

VIII. Public Notification and Evaluation of LAP

A. LAP Approval and Notification

The Tempe Municipal Court's LAP is subject to approval by the Presiding Judge and Court Administrator. Upon approval, a copy will be sent 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 Tempe Municipal Court's LAP will be provided to the public on request and made available on the court's website.

B. Evaluation of the LAP

Tempe Municipal Court will routinely assess whether changes to the LAP are needed. The plan may be changed or updated at any time but will be reviewed at least once a year.

Each year the Court Interpreter or a management team designee will review the effectiveness of the court's LAP and update it as necessary. Problem areas will be identified and corrected. 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;
- Customer satisfaction feedback; and
- Review of any language access complaints received in the previous year.

C. Tempe Municipal Court Language Access Plan Coordinator:

Alfred Gonzalez

Court Interpreter and Coordinator

Tempe Municipal Court

140 E. Fifth Street, Suite 200

Tempe, AZ 85281


(480)0350-2953, alfred_gonzalez@tempe.gov


D. AOC Language Access Contact:

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E. LAP Effective date: 8/22/2018

F. Approved by:

Presiding Judge  _____ Date: AUG 22 2018

Court Administrator:  _____ Date: 8/22/18

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