

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 2012):

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

B. Phoenix Municipal Court

The Phoenix 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
2. Arabic
3. Vietnamese
4. Burmese
5. Farsi

This information is based on data collected by the City of Phoenix Municipal Court's Court Interpreter summary. This summary is produced monthly by the Court Interpreters Section and documents the specific work of individuals providing interpreter services within the court, as well as the various languages for which interpreter services are provided to persons with limited English proficiency.

III. Language Assistance Resources

A. Interpreters Used in the Courtroom

1. Providing Interpreters in the Courtroom

In the Phoenix Municipal Court, court interpreters will be provided in all courtroom proceedings at no cost to all LEP court customers including witnesses, victims and parents, guardians, and family members of minors 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, City of Phoenix Public Defender or City of Phoenix 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 Phoenix 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, call center staff, family court services, or outside justice partners such as law enforcement, the City of Phoenix Prosecutor's Office, or the City of Phoenix Public Defender's Office. Courts should have a documented process to identify LEP needs for parties with notation in the physical or electronic case file.

Signage throughout the court building indicating interpreter services are available may also help to identify LEP individuals. The Phoenix Municipal Court will display this sign at the following locations: exterior areas of Courthouse windows, the customer front information desk, customer service counters, the jury center, and Court Administration reception desk.

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 Phoenix 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.

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 is 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 first try to meet their needs by using the language 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 Spanish;
- Telephonic interpreter services in a variety of languages, (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:

- Written informational and educational materials and instructions in Spanish.

C. Court Appointed or Supervised Personnel

The Phoenix Municipal Court also shall ensure that court appointed or supervised personnel, including but not limited to child advocates, guardian's ad litem, court psychologists and doctors provide language services, including interpreters as part of their service delivery system to all 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 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. The documents will be located at appropriate sites within the Court.

- Interpreters at court hearings are expected to provide sight translations of court documents and correspondence 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.

- A hyperlink to: Arizona Supreme Court's Spanish-translated webpage at <http://www.azcourts.gov/elcentrodeautoservicio/FormulariosdeAutoservicio.aspx>.
- Current Phoenix Municipal Court Language Access Plan
- Language Access Plan Complaint form

IV. Court Staff and Volunteer Recruitment

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

The Phoenix 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:

- Court interpreters to serve as regular full-time or part-time employees or regular interpreter contractors of the court;
- Bilingual staff to serve at public counters;
- Bilingual staff to serve in courtrooms; and
- Bilingual staff available on call to assist with contacts from LEP individuals, as needed.

V. Judicial and Staff Training:

The Phoenix 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:

- Interpreter coordinator training;
- Diversity Training;
- LAP training;
- Language classes available through the City of Phoenix Human Resources Department's Employee Development Division
- 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 and Education

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

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. The Phoenix Municipal Court has a complaint process that includes 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 W Washington St. Phoenix AZ 85003 to the attention of: Management Services Municipal Court Administrator.
- A complaint form can be found at <http://www.azcourts.gov/selfservicecenter/SelfServiceForms.aspx#ComplaintForm>
- The court will ensure that the translated versions of the complaint form is available in multiple locations, including but not limited to:
 - Forms posted on the Court's website
 - 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, please forward a copy to the AOC Court Services Division. Any revisions to the plan will be submitted to the presiding judge and court executive officer for approval, and then forwarded to the AOC. Copies of Phoenix Municipal Court's LAP will be provided to the public on request and is available on the Court website.

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 once a year.

Each year, the court's executive 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 interpreting or 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 and how to carry them out;
- Review of feedback from court employee training sessions; and,
- Customer satisfaction feedback as indicated on the Access and Fairness Survey, if administered by the court during this period.
- Review any language access complaints received during this time period.

C. Trial Court Language Access Plan Coordinator:

Cindy Price, Supervisor

Court Interpreter's Office, City of Phoenix Municipal Court

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Phoenix, AZ 85003

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D. AOC Language Access Contact:

Amy Wood

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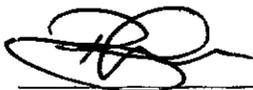
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LAP Effective date: August 1, 2015

Approved by:

Chief Presiding Judge B. Don Taylor III



Date:

9/10/15

Court Executive Officer

[vacant]