

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44

Cottonwood Municipal Court

Language Access Plan (LAP)

I. Legal Basis and Purpose

This document serves as the plan for the **Cottonwood Municipal Court** to provide 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 **Cottonwood 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. Cottonwood Municipal Court

The **Cottonwood 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

45 This information is based on data collected from our court’s data and statements from court staff.

46

47 **III. Language Assistance Resources**

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

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

50

51 In the **Cottonwood Municipal Court**, court interpreters will be provided in all courtroom
52 proceedings at no cost to all LEP court customers including witnesses, victims and parents,
53 guardians and family members of minors as well as any other person whose presence or
54 participation is necessary or appropriate as determined by the Judicial Officer.

55

56 It is the responsibility of the private attorney, Public Defender or City Prosecutor 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.

59

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

61

62 The **Cottonwood Municipal Court** may determine whether a court customer has limited English
63 proficiency. The need for a court interpreter may be identified prior to a court proceeding by the
64 LEP person or on the LEP person’s behalf by counter staff, self-help center staff or outside justice
65 partners such as law enforcement, attorneys, or victim advocates.

66

67 Signage throughout the court building indicating interpreter services are available may also help
68 to identify LEP individuals. The **Cottonwood Municipal Court** will display this sign at the
69 following locations: near courtroom entry point or front public counters.

70

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

76

77 The **Cottonwood Municipal Court** staff will follow a documented process to identify LEP
78 needs for parties to include:

79

- 80 • Flagging case parties who need interpreting services within the electronic case file in the
- 81 court’s electronic case management system.
- 82 • Marking the physical case file exterior “Interpreter Needed” to signify an interpreter
- 83 needs to be scheduled for all court proceedings.
- 84 • Noting in the physical case file minute entry sheet the type of interpreter needed and the
- 85 party in the case who needs the interpreter.

86 **3. AOC Interpretation Resources**

87
88 Court Interpreter Registry and Listserv

89 The AOC maintains a statewide roster of individuals who indicate they have interpreting
90 experience and have expressed interest in working in the courts. The court using interpreting
91 services will determine the competence of the persons listed and determine if the Court
92 Interpreter Registry and Listserv services are necessary.

93
94 Video Remote Interpreting

95 The AOC has installed video conferencing equipment at the State Courts building that will allow
96 courts with compatible technology to remotely conference an interpreter from the Phoenix metro
97 area or from another court jurisdiction into their court to improve resource allocation and reduce
98 time and costs associated with interpreter travel.

99
100 **B. Language Services Outside the Courtroom**

101
102 The **Cottonwood 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 courtroom.
104 Court services and programs include, but are not limited to self-help centers, clerk offices, intake
105 officers, cashiers, and records room.

106
107 The court also is responsible for taking reasonable steps to ensure that LEP individuals have
108 meaningful access to all court-ordered services and programs. Court-ordered services and
109 programs include but are not limited to conciliation, mediation, arbitration, treatment or
110 educational programs provided by a court employee or a private vendor under contract with the
111 court. Contracts with vendors that provide direct services to court users must include the
112 requirement that the vendor provide language services, including interpreters, for all LEP
113 individuals.

114
115 The court uses the following resources to facilitate communication with LEP individuals and court
116 staff or providers of court-ordered services:

- 117
118
- 119 • Independent interpreter contractors;
 - 120 • Bilingual employee;
 - 121 • Multilingual signage throughout courthouse locations in the following languages:
122 Spanish;
 - 123 • Telephonic interpreter services, (from contract interpreters or an agency); and,
 - 124 • Callers who speak Spanish will be allowed to speak to a Spanish Speaking employee
125 when one is present, or a message is taken and the Spanish speaking employee will call
126 back when available.

127 To provide linguistically accessible services for LEP individuals, the **Cottonwood Municipal**
128 **Court** provides the following:

- The Court’s website has Spanish instructions on how to navigate to self-help center services and may be directed to the Maricopa County Self-Service Center:

<http://www.superiorcourt.maricopa.gov/Espanol/index.asp>

OR the Administrative Office of the Courts (AOC) website to receive court information in Spanish.

<http://www.azcourts.gov/elcentrodeautoservicio/Home.aspx>

- The entire time a LEP individual is present in the court, the individual is given the assistance of a court interpreter and/or the assistance of a Spanish Speaking employee.

C. Court Appointed or Supervised Personnel

The **Cottonwood Municipal Court** shall 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 **Cottonwood Municipal Court** uses forms and instructional materials translated into Spanish.

- Interpreters at court hearings are expected to provide sight translations of court documents and correspondence associated with the case. A Spanish speaking employee assists with documents when an interpreter is not present.
- **Cottonwood Municipal Court** utilizes the AOC forms website:

<http://www.azcourts.gov/elcentrodeautoservicio/FormulariosdeAutoservicio.aspx> .

E. Website/Online Access

Cottonwood Municipal Court operates an Internet webpage on the City of Cottonwood website (www.cottonwoodaz.gov/court/index2.php). The court webpage is accessible to LEP persons and will include at a minimum:

- The court’s approved Language Access Plan, complaint form and process are available on the court’s website.
- 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:

174 <http://www.azcourts.gov/elcentrodeautoservicio/FormulariosdeAutoservicio.aspx>

175

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

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

178 The **Cottonwood Municipal Court** is an equal opportunity employer and recruits and hires
179 bilingual staff to serve its LEP constituents. Primary examples include but are not limited to:

180

- 181 • Contracted court interpreters to serve as regular interpreter contractors of the court.
- 182 • Court Administrator/Associate Magistrate is Spanish speaking with a degree in Spanish;
- 183 • Bilingual staff to serve at public counters and or self-help centers; and
- 184 • Bilingual staff available on call (or who will call back) to assist with contacts from LEP
185 individuals, as needed.

186

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

188

189 The **Cottonwood Municipal Court** is committed to providing language access training
190 opportunities for all judicial officers and staff members. Training and learning opportunities
191 currently offered will be expanded or continued as needed. Those opportunities include:

192

- 193 • Diversity Training;
- 194 • Cultural competency training;
- 195 • LAP training;
- 196 • Staff attendance in Spanish training, provided by the court in partnership with local
197 colleges and institutions to offer these classes on site and free to employees on court time,
198 or through tuition reimbursement;
- 199 • New employee orientation training; and,
- 200 • Judicial officer orientation on the use of court interpreters and language competency
201 (which may also be provided at NJO training).
- 202 • AOC's Language Access in the Courtroom Training DVD
- 203 • AOC's Language Access online training videos

204

205 **VI. Public Outreach and Education**

206

207 To communicate with the court's LEP constituents on various legal issues of importance to the
208 community and to make them aware of services available to all language speakers, the
209 **Cottonwood Municipal Court** provides community outreach and education and seeks input
210 from its LEP constituency to further improve services. Outreach and education efforts include:

211

- 212 • Partnerships and collaborations with bar associations, community social service
213 providers, victim advocate agencies, and the city public library to provide a court
214 presence in the LEP community.

215
216 The court will solicit input from the LEP community and its representatives through meetings
217 and will seek to inform community service organizations on how LEP individuals can access
218 court services.

219
220 **VII. Formal Complaint Process**

221
222 If an LEP court customer believes meaningful access to the courts was not provided to them,
223 they may choose to file a complaint with the trial court's Language Access Plan Coordinator.

224
225 **The Cottonwood Municipal Court** complaint process:

- 226 • The court will respond to any complaint within 30 days of receipt and any records will be
227 maintained as public records.
- 228 • A complaint can be filed by completion of the complaint form and submission to Janie B.
229 Randall, Court Administrator, either by mail or fax.
- 230 • Cottonwood Municipal Court contact information:

231
232 Cottonwood Municipal Court
233 Attn: Court Administrator
234 665 East Mingus Avenue
235 Cottonwood, AZ 86326
236 Fax: (928) 634-7864

- 237
238 • The complaint form is available in English and Spanish on the court's website and
239 available at the court window.
 - 240 ○ Court Website: www.cottonwoodaz.gov/court/index2.php
 - 241 ○ Hard copy forms are also available at the court window: 665 East Mingus
242 Avenue, Cottonwood, AZ 86326

243
244 **VIII. Public Notification and Evaluation of LAP**

245
246 **A. LAP Approval and Notification**

247 The **Cottonwood Municipal Court's** LAP is approved by the presiding judge and court executive
248 officer. Upon approval, please forward a copy to the AOC Court Services Division. Any revisions
249 to the plan will be submitted to the presiding judge and court executive officer for approval, and
250 then forwarded to the AOC. Copies of **Cottonwood Municipal Court's**
251 LAP will be provided to the public in person by request and will be posted on the courts website.

252
253 **B. Evaluation of the LAP**

254 The **Cottonwood Municipal Court** will routinely assess whether changes to the LAP are needed.
255 The plan may be changed or updated at any time but reviewed not less frequently than once a year.

256
257 Every one or two years the court's Court Administrator will review the effectiveness of the
258 court's LAP and update as necessary. The evaluation will include identification of any problem
259 areas and development of corrective action strategies. From time to time, the court may
260 consider using a survey sampling of data collection for a limited time period which involves
261 assessing language access requests to assist in the evaluation of the LAP.

262
263 Elements of the evaluation will include:

- 264
- 265 • Number of LEP persons requesting court interpreters and/or language assistance;
- 266 • Assessment of current language needs to determine if additional services or translated
267 materials should be provided;
- 268 • Solicitation and review of feedback from LEP communities within the city;
- 269 • Assessment of whether court staff adequately understand LEP policies and procedures
270 and how to carry them out;
- 271 • Review of feedback from court employee training sessions; and,
- 272 • Customer satisfaction feedback as indicated on the access and fairness survey, if
273 administered by the court during this time period;
- 274 • Review any language access complaints received during this time period.

275
276 **C. Trial Court Language Access Plan Coordinator:**

277 Janie Randall
278 Court Administrator/Associate Magistrate
279 Cottonwood Municipal Court
280 665 East Mingus Ave.
281 Cottonwood, AZ 86326
282 (928) 634-7537

283
284 **D. AOC Language Access Contact:**

285 Amy Wood
286 Court Services Division
287 Administrative Office of the Courts
288 1501 W. Washington Street, Suite 410
289 Phoenix, AZ 85007
290 (602) 452-3337, awood@courts.az.gov

291
292 **E. LAP Effective date:** July 31, 2015

293
294 **F. Approved by:**

295
296 Presiding Judge: Hon. A. Douglas LaSota Date: July 8, 2015

297
298 Court Administrator: Janie Randall Date: July 8, 2015