

Superior Court and Justice Courts of Cochise County

**Language Access Plan (LAP)**

**I. Legal Basis and Purpose**

This document serves as the plan for the Arizona Superior Court and Justice Courts of Cochise County 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 Superior Court and Justice Courts of Cochise County.

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. Superior Court and Justice Courts of Cochise County**

The Superior Court and Justice Courts of Cochise County are 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 these courts.

1. Spanish
2. Korean

This information is based on data collected from the Court Interpreters’ Office.

### **III. Language Assistance Resources**

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

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

In the Superior Court and Justice Courts of Cochise County, 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, Public Defender or County 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**

The Superior Court and Justice Courts of Cochise County may determine whether a court customer has limited English proficiency. Identification of language needs at the earliest point of contact is highly recommended. It is best if the need for a court interpreter is identified prior to a court proceeding by the LEP person or on the LEP person's behalf by counter staff, self-help center staff, family court services, or outside justice partners such as probation/parole officers, attorneys, social workers or correctional facilities. The request for an interpreter may also be done directly with the Court Interpreter's Office at (520) 432-8513.

The Superior Court and Justice Courts of Cochise County will display signage indicating interpreter services are available at the following locations: The Clerk of the Court's Office, Law Library and at the entrance of all Justice Courts.

The need for an interpreter 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 (VRI)

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.

The same technology is installed in the Willcox and Bowie Justice Courts and the office of the Court Interpreters in Bisbee. The availability and quality of interpreter services is enhanced because staff interpreters can provide more timely coverage of court events.

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

The Superior Court and Justice Courts of Cochise County are 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**

The Superior Court and Justice Courts of Cochise County 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. For those individuals who can write in Spanish, the Spanish writing will be translated into English by a court interpreter.

The Cochise County Justice Courts can contact the Self-help Service Center for further instruction on assisting LEP individuals with filling out forms.

#### **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.

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;
- “I Speak” cards, to identify the individual’s primary language;
- Multilingual signage throughout courthouse locations in the following languages: Spanish.
- Telephonic interpreter services, (from contract interpreters or the Language Line); and,

To provide linguistically accessible services for LEP individuals, the Superior Court and Justice Courts of Cochise County provide the following:

- Self-help center services (Superior Court in Bisbee, AZ) that include bilingual self-help center staff, telephonic language assistance, to provide self-help services to LEP persons in their primary language;
- Interpreters for family court services mediators for custody and visitation matters; and
- Website links from court’s website to the Arizona Supreme Court’s Spanish translated webpage for court forms and instructions and other language access related resources such as the court’s LAP and complaint form and process.

### **C. Court Appointed or Supervised Personnel**

The Superior Court and Justice Courts of Cochise County also 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 Superior Court and Justice Courts of Cochise County currently use some forms and instructional materials translated into Spanish.

- The court has translated various vital documents into other languages: Spanish.

These documents can be located in the Law Library/Self-help Service Center at the Old Bisbee Courthouse located at 100 Quality Hill, Bisbee, AZ 85603.

#### **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. Websites/Online Access**

The court operates an Internet website, which is accessible to LEP persons and includes:

- 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>.

### **IV. Court Staff**

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

The Superior Court and Justice Courts of Cochise County 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 and/or self-help centers; and
- Bilingual staff available on call to assist with contacts from LEP individuals, as needed.
- Bilingual staff to serve as probation officers.

### **V. Judicial and Staff Training**

The Superior Court and Justice Courts of Cochise County are 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 offered by the AOC;
- LAP training;
- Training on LAP updates;
- Spanish language training, provided by the court interpreters to enhance the language ability of 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 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 Superior Court and Justice Courts of Cochise County will post the LAP on the website. The courts will also update the website to make information about accessing language services more widely available.

The need for additional public outreach and educational programs shall be monitored and made accessible to LEP persons as they are developed.

## **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 Superior Court Administrator, Eric Silverberg. The court has posted the LAP and Complaint Form in both English and Spanish on the Court Administration website at <https://www.cochise.az.gov/court-administration/interpreters-officelaw-library>.

The form is also available at court locations and at the Law Library/Self-help Service Center.

- 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: 100 Quality Hill, Bisbee, AZ 85603
  - By Mail: P.O. Box 204, Bisbee, AZ 85607
  - By email: [esilverberg@courts.az.gov](mailto:esilverberg@courts.az.gov)
  - By Fax: (520) 432-5835
- The court has attached the complaint form (English/Spanish) to the LAP. In the alternative, the complaint forms may also be located at:  
<https://www.cochise.az.gov/court-administration/interpreters-officelaw-library>
- The court will ensure the 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 public counters.

## **VIII. Public Notification and Evaluation of LAP**

**A. LAP Approval and Notification**

The Superior Court and Justice Courts of Cochise County's LAP is approved by the presiding judge and court executive officer. Upon approval, a copy will be submitted to the AOC Court Services Division. Any revisions to the plan will be submitted to the presiding judge and superior court administrator for approval, and then forwarded to the AOC. Copies of Superior Court and Justice Courts of Cochise County's LAP will be provided to the public on request and will be posted on the website.

**B. Evaluation of the LAP**

The Superior Court and Justice Courts of Cochise County 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 biennially.

Every 2 years the court's Chief Interpreter 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 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,
- Customer satisfaction feedback as indicated on the access and fairness survey, if administered by the court during this time period.
- Review any language access complaints received during this time period.

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

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**D. AOC Language Access Contact:**

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Administrative Office of the Courts  
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**E. LAP Effective date: May 1, 2017**

**F. Approved by:**

Presiding Judge:

  
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Hon. James L. Conlogue

Date: 02/13/2017

Court Executive Officer:

  
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Eric. Silverberg

Date: 2/13/2017