

Mesa Municipal Court

Language Access Plan (LAP)

I. Legal Basis and Purpose

This document serves as the plan for the Mesa 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 Mesa 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 March 2022):

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

B. Mesa Municipal Court

The Mesa Municipal Court is also responsible for taking reasonable steps to ensure LEP individuals have meaningful access to all court services and programs outside the courtroom. Court services and programs include, but are not limited to, customer service counter and clerk handout windows. However, the following list shows the foreign languages that are most frequently used in this court’s geographic area.

1. Spanish

2. Mandarin
3. Chuukese
4. ASL
5. Vietnamese

This information is based on data collected from internal statistical reports.

III. Language Assistance Resources

A. Interpreters Used in the Courtroom

1. Providing Interpreters in the Courtroom

In the Mesa Municipal Court, 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.

The Mesa Municipal Court employs credentialed interpreters in the courtroom pursuant to the provisions of Arizona Supreme Court Administrative Order 2016-02 on the credentialing of court interpreters, and Arizona Code of Judicial Administration § 7-301 on continuing education requirements for credentialed interpreters. To comply with these authorities, the court will implement written policies regarding the use of interpreters.

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 Mesa 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, courtroom staff, attorneys, victim advocates, and detention officers. Courts should have a documented process to identify LEP needs for parties with notation in the physical and electronic case file.

Signage throughout the court building indicating interpreter services are available may also help to identify LEP individuals. The Mesa Municipal Court will display this sign at the following locations: courtroom monitors, court website, and in the Jury Assembly Room.

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, Roster of Credentialed Court Interpreters, and Listserv:

The AOC maintains a statewide registry of individuals who indicate they have interpreting experience and have expressed interest in working in the courts. The registry includes information on the individuals' credentialing status with the Arizona Court Interpreter Credentialing Program (ACICP). The court using interpreting services will determine the competence of the persons listed and their suitability for a given assignment. This registry is available to court staff on the Internet at <https://apps.azcourts.gov/registry>.

The AOC also maintains a public Arizona roster of credentialed court interpreters. The public roster lists the name, language, credential level, and contact information for those interpreters who have successfully earned an ACICP credential and who have consented to having their information appear in the public roster. The public roster is available on the Arizona Judicial Branch website at <https://www.azcourts.gov/interpreter/>.

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 Mesa 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.

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 and Pleadings

The Mesa 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 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 program 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:

- The Mesa Municipal Court has Spanish court interpreters who serve as permanent fulltime employees of the court. The court also works with interpreting agencies and freelance interpreters in various languages.
- The Mesa Municipal Court has bilingual (English/Spanish) employees who use their language skills to first try to meet the needs of its LEP customers seeking assistance outside the courtroom.
- For on demand face-to-face encounters and telephone conversations, the Mesa Municipal Court will utilize the AZ Language Solutions Mesa Court Line when on-site interpreters are not available.
- Court staff will utilize “I Speak” cards, to identify the individual’s primary language.
- Telephonic interpreter services (from contract interpreters or an agency)
- Video remote interpreting services (where available)
- Staff who have some knowledge of another language but need help with court terminology may also consult the following glossary sources.
 - a. Spanish/English glossary on the AOC self-help Web site,
http://ajinweb/ctserv/cmu/CMU_CourtInterpreter.htm
 - b. Spanish Language Style Guide and Glossaries for U.S. Government Web Sites
<https://digital.gov/resources/spanish-language-style-guide-and-glossaries/>

To provide linguistically accessible services for LEP individuals, the Mesa Municipal Court

provides the following:

- Public service windows that include bilingual staff and telephonic language assistance.
- Written information and instructions in Spanish.
- Website links from the court's website to the Supreme Court's Spanish translated webpage, <https://www.azcourts.gov/elcentrodeautoservicio> for court forms and instructions and other language access related resources such as the courts' Spanish website page, <https://www.mesaaz.gov/Public-Safety/Court>, complaint form and process.

4. Bilingual Staff and Volunteers

The Mesa Municipal Court uses bilingual staff and volunteers, if applicable, in the provision of linguistically accessible services for LEP individuals. These staff assist LEP individuals at public counters, information desks or kiosks, resource centers, over the phone, etc., in the same manner as that for English-speaking court users.

Bilingual staff and volunteers who have not completed the credentialing program are not used in lieu of interpreters, either in court or for court-ordered programs and services.

C. Court Appointed or Supervised Personnel

The Mesa Municipal Court 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 Mesa Municipal Court currently uses forms and instructional materials translated into Spanish.

- The court has translated various vital documents into Spanish:

- Court Records Request
- Civil Traffic Set Aside
- Criminal Set Aside Notice Application
- Second Chance Application
- Time Payment Contract Application
- Civil Traffic Hearing Request
- Community Restitution Information
- Instructions for Completing A Petition to Expunge Marijuana-Related Records
- Petition To Expunge Marijuana Related Offense Records

Petition To Seal Criminal Case Records
Protective Order Hearing Request/Dismissal
Instructions and Motion to file Continuance
Notice of Appearance
Notice of Appeal CT
Notice of Right to Appeal
Notice of Appeal Misdemeanor Case
Exhibit 2 Lane Straight Away
Exhibit 3 Lane Straight Away
Exhibit 4 Lane Intersection
Exhibit 5 Lane Straight Away
Exhibit 5 Lane Intersection
Exhibit 5 to 6 Lane Intersection
Exhibit 6 Lane Intersection
Exhibit 7 Lane Straight Away
Subpoena Request
Subpoena Request Civil Case
TTEAP Waiver Request
Transcript Request

These documents may be obtained at the Mesa Municipal Court and on the Court's website at <https://www.mesaaz.gov/Public-Safety/Court/Court-Forms>.

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. Website/Online Access

The Mesa Municipal Court operates an Internet website and ensures the website is accessible to LEP persons and includes:

- A notice about the availability of language services written in Spanish and posted on the Court's home page at <https://www.mesaaz.gov/Public-Safety/Court>
- A hyperlink to the Arizona Supreme Court's Spanish-translated webpage at <https://www.azcourts.gov/elcentrodeautoservicio>
- Access to the Spanish court forms at <https://www.mesaaz.gov/Public-Safety/Court/Court-Forms>.

IV. Court Staff and Volunteer Recruitment

A. Recruitment of Bilingual Staff for Language Access

The Mesa 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:

- Spanish court interpreters to serve as regular full-time or part-time employees 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.

B. Recruitment of Volunteers for Language Access

The Mesa Municipal Court does not recruit or use volunteers to assist with language access.

V. Judicial and Staff Training

The Mesa 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;
- New employee orientation training; and,
- Judicial officer orientation on the use of court interpreters and language competency.
- AOC's Language Access Online Training Videos located at <http://www.azcourts.gov/educationservices/cojet-classroom/video-center>

VI. Public Outreach and Education

A. General

The need for public outreach and education will be monitored and made accessible to LEP persons as they are developed by the Mesa Municipal Court.

B. Videos, Webinars, On-Line Classes, In-Person Classes and Other Similar Instructional Methods

The court will determine whether any 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 Language Access Plan Coordinator. The court will develop a complaint process that includes at a minimum, the following

information:

- 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:
 - Electronically through the court's website at:
<https://www.mesaaz.gov/files/assets/public/v/1/publicsafety/court/courtforms/language-access-to-court-services-complaint-form.pdf>
 - In person at the Mesa Municipal Court
- The Court has attached the complaint form (English/Spanish) to the LAP
 - In the alternative, the complaint forms may be located at:
<https://www.mesaaz.gov/files/assets/public/v/1/publicsafety/court/courtforms/language-access-to-court-services-complaint-form.pdf>
- 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 Mesa 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 Mesa Municipal Court's LAP will be provided to the public on request. The LAP is posted on the court's website at www.mesaaz.gov/court.

B. Evaluation of the LAP

The Mesa 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 Interpreter Supervisor 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 court interpreters and/or 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,
- Review any language access complaints received during this time period.

C. Trial Court Language Access Plan Coordinator:

Cynthia Almanza
Court Interpreter Supervisor
Mesa Municipal Court
250 E. 1st Avenue
Mesa, AZ 85210
(480) 644-5409, cynthia.almanza@mesaaz.gov

D. AOC Language Access Contact:

David Svoboda
Court Services Division
Administrative Office of the Courts
1501 W. Washington Street, Suite 410
Phoenix, AZ 85007
(602) 452-3965, dsvoboda@courts.az.gov

E. LAP effective date: 01/27/2025

F. Date of last revision: 01/27/2025

G. Approved by:

Presiding Judge: [] Date: [1/29/25]

Stephen Umpleby

Court Executive Officer: [] Date: [1/29/25]

Shawn Haught