

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 April 2012):

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

B. Mesa Municipal Court

The Mesa 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. Mandarin
3. Vietnamese
4. Arabic
5. Somali

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

III. Language Assistance Resources

A. Interpreters Used in the Courtroom

1. Providing Interpreters in the Courtroom

In the Mesa Municipal 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, public defender or prosecutor's office 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 in various ways.

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 the charging authority who writes the customer's language on the ticket/complaint or the long form complaint. The need for a court interpreter may also be identified by security personnel, front counter staff, courtroom staff, attorneys, victim's advocates, and detention officers. The court has a process to identify LEP needs for parties and to ensure a notation of the specific language is then entered in the Court Case Management system.

Signage throughout the court building indicating interpreter services are available may also help to identify LEP individuals. The Mesa Municipal Court displays "Notice of Interpreter Services" in English and Spanish on the courtroom monitors. Currently the court is examining other possible areas where the notice could be displayed in the future, such as the building entryway and lobby. Additionally, the "Notice of Interpreter Services" will be posted on the court's home page and in the Jury Assembly Room

When the need for a Spanish interpreter is made known for the first time in the courtroom at the time of the proceeding, a staff Spanish Court Interpreter is immediately provided to assist the customer.

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. The Court deals with highly reliable vendors that provide their services in various languages. In certain occasions, depending on the setting, the Court may hold a telephonic proceeding when an interpreter in the immediate area is not available and one has to be retained from long distance.

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. 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.

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.

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 alcohol and drug screening and treatment, probation, evaluations, community restitution, educational programs, and classes 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 Mesa Municipal 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 staff Spanish court interpreters who serve as permanent full-time 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 our LEP customers seeking assistance outside the courtroom.
- For face-to-face encounters, as well as telephone conversations, the Mesa Municipal Court will explore the option of using the Language Line when on-site interpreters are not available.
- Court staff will utilize the “I Speak” cards when unsure of the language a customer is speaking, to identify the individual’s primary language;
- Telephonic interpreter services, (from contract interpreters or an agency); and
- A public court phone line with key instructions provided in Spanish to request court services.
- Handbook on court related terminology made available to attendees of a Spanish Workshop for court staff.
- 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*,
<http://www.usa.gov/webcontent/multilingual/spanish-guide/index.shtml>

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 link from court’s website to the Supreme Court’s Spanish translated webpage <http://www.azcourts.gov/elcentrodeautoservicio> for court forms and instructions and other language access related resources such as the courts’ Spanish website page <http://www.mesaaz.gov/court> LAP, complaint form and process.

C. COURT APPOINTED OR SUPERVISED PERSONNEL

The Mesa Municipal Court ensures that court appointed or supervised personnel 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. This year the Mesa Municipal Court went to a new Case Management System and during this transition Ecourt had to be brought down. A new Ecourt is being incorporated and all translated forms and instructional material that The

Mesa Municipal Court currently uses will be uploaded:

Trial Guidelines
Directions to Jail
Work Release/Work Furlough Form
Info Form Title 13 Convictions
Home Detention Information
Electronic Monitoring Acknowledgment
Financial Statement
Civil Traffic Hearing Request
Civil Traffic Set Aside Judgment
Community Restitution
Criminal Case Set Aside Application
Civil Traffic Exhibits
Motion to Continue
Notice of Appeal Civil Case
Notice of Appeal Civil Traffic Case
Notice of Appeal Misdemeanor Case
Petition Order Packet
Subpoena Request Form Civil Cases
Subpoena Request Form Criminal Traffic

These documents may be obtained at Mesa Municipal Court, 250 E. 1st. Avenue, Mesa, AZ 85210 from the Front Desk, in the courtrooms and through the Court's webpage <http://www.mesaaz.gov/court>. Forms translated into Spanish may also be found in the Supreme Court's Spanish translated webpage: <http://www.azcourts.gov/elcentrodeautoservicio>

E. WEBSITE/ONLINE ACCESS

The Mesa Municipal Court operates an Internet website <http://www.mesaaz.gov/court> 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 <http://www.mesaaz.gov/court>
- A hyperlink to: Arizona Supreme Court's Spanish-translated webpage at <http://www.azcourts.gov/elcentrodeautoservicio>
- A link to the Spanish court forms

Interpreters at court hearings are expected to provide sight translations of court documents and correspondence associated with the case.

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 employees of the court.
- Bilingual staff to serve at public counters and or self-help centers; and
- Bilingual staff to serve in the courtrooms

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;
- LAP training;
- Spanish Workshops for staff;
- 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

At this time, the Mesa Municipal Court does not participate in this but will examine opportunities to provide community outreach and education to further improve services for LEP constituents.

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 court's Language Access Plan Coordinator. The Mesa Municipal 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.
- How to file a complaint and to whom the complaint should be directed.

- The complaint form (English/Spanish) will be attached to the LAP.
- Translated versions of the complaint form are available in multiple locations, including, but not limited to:
 - 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.

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 or biennially.

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:

Xiomara Martinez Tenreiro
Court Interpreter Supervisor
Mesa Municipal Court
250 East 1st. Ave.
Mesa, AZ 85210
(480) 644-3109, xiomara.tenreiro@mesaaz.gov

D. AOC Language Access Contact:

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

E. LAP Effective date: December, 2015

F. Approved by:

Presiding Judge: [*Matus Tapia*] Date: [*1/5/16*]
Court Executive Officer: [*Paula...*] Date: [*1-5-16*]

(Court Name)

Language Access to Court Services Complaint Form

The court may be required to provide interpreters at no cost for court users, including litigants, victims, and witnesses who do not speak English as their primary language and who have a limited ability to read, speak, write or understand English. If you believe you have not been provided effective language assistance for any court or probation proceeding or other service provided by the court, please complete this form and return it to: Mesa Municipal Court; 250 E. 1st Avenue; Mesa, AZ 85210

(Address of Court)

*The submission of a complaint will NOT affect the outcome of any court matter.
The court will address your concerns within a reasonable time not exceeding 30 days after submission of this form.*

THIS FORM IS AVAILABLE IN OTHER LANGUAGES UPON REQUEST.

PLEASE COMPLETE:

Today's Date: _____

First Name: _____

Last Name: _____

Address: _____

City/State/Zip: _____ / ____ / _____

Home Telephone: (_____) _____ - _____

Mobile Phone: (_____) _____ - _____

Email Address: _____

Primary Language: _____

Date of Incident: _____

What problem did you have with language assistance?

- The court did not provide an interpreter
- The interpreter did not interpret correctly or did not speak my language
- Other- please describe:

Tribunal Municipal de Mesa

(Nombre del Tribunal)

FORMULARIO DE QUEJA
Servicios de Traducción e Interpretación

Para garantizar la participación en las diligencias y los servicios judiciales, se le proveerá un intérprete sin costo alguno a las personas tales como litigantes, víctimas, ofendidos y testigos que no hablen el inglés como idioma principal o a aquellos que no sepan escribir, leer, entender o hablar el inglés. Si Ud. cree que no le han facilitado servicios de interpretación en el tribunal, o para gozar de los servicios de régimen a prueba, por favor, llene este formulario y envíelo a: 250 E 1st Avenue; Mesa, AZ 85210

Ninguna causa pendiente se verá afectada por haber sometido una queja. Este tribunal tratará de abordar su queja en un plazo de 30 días después de haberla sometido.

PUEDE OBTENER ESTE FORMULARIO EN OTROS IDIOMAS SI LO SOLICITA

LLENE LOS ESPACIOS EN BLANCO:

Fecha: _____

Nombre: _____

Apellido(s): _____

Dirección: _____

Ciudad/Estado/C.P.: _____ / _____ / _____

Teléfono: (_____) _____ - _____

Celular: (_____) _____ - _____

Correo electrónico: _____

Idioma principal: _____

¿En qué fecha sucedió el incidente? _____

Explique cuál fue el problema:

- El tribunal no me proporcionó un intérprete
El intérprete no interpretó de manera adecuada o no hablaba mi idioma.
Otro motivo; anote los detalles:

Multiple horizontal lines for providing details of the complaint.

La fracción 601 del Título VI de la Ley de Derechos Civiles de 1964, 42 U.S.C. 2000d reza lo siguiente: "A ninguna persona presente en los Estados Unidos se le privará del derecho de participar, ni se le negarán beneficios, ni estará sujeta a la discriminación debido a su raza, etnia u origen, de ningún programa o actividad que reciba fondos federales."