

**ORO VALLEY MAGISTRATE COURT – 1045
11000 N. LA CANADA DR.
ORO VALLEY, ARIZONA 85737
(520) 229-4780**

Language Access Plan (LAP)

I. Legal Basis and Purpose

This document serves as the plan for the Oro Valley Magistrate 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 Oro Valley Magistrate 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 2014):

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

B. Oro Valley Magistrate Court

The Oro Valley Magistrate 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

46
47 This information is based on data collected from Oro Valley Magistrate Court statistics.

48
49 **III. Language Assistance Resources**

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

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

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55 In the Oro Valley Magistrate Court, court interpreters will be provided in all courtroom
56 proceedings at no cost to all LEP court customers including witnesses, litigants, victims, parents,
57 guardians and family members of minors as well as any other person whose presence or
58 participation is necessary or appropriate as determined by the judicial officer.

59 It is the responsibility of the private attorney, Public Defender or Town Attorney to provide
60 qualified interpretation and translation services for witness interviews, pre-trial transcriptions
61 and translations and attorney/client communications during out of court proceedings.

62
63 **2. Determining the Need for an Interpreter in the Courtroom**

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65 The Oro Valley Magistrate Court may determine whether a court customer has limited English
66 proficiency and will try to identify the language needs at the earliest possible point of contact.
67 The need for a court interpreter may be identified prior to a court proceeding by the LEP person
68 or on the LEP person's behalf by court staff or outside justice partners such as twice a day initial
69 appearance staff, police officers (as noted on the citation), or attorneys. The Oro Valley
70 Magistrate Court will also display signage in the lobby of the court building indicating
71 interpreter services are available.

72
73 The need for an interpreter also may be made known in the courtroom at the time of the
74 proceeding. Oro Valley Magistrate Court attempts to schedule Spanish speakers requiring an
75 interpreter on the second Tuesday afternoon of each month. In a case where the court is
76 mandated to provide an interpreter, but one is not available at the time of the proceeding, even
77 after the court has made all reasonable efforts to locate one, as previously outlined in this plan,
78 the case will be postponed and continued on a date when an interpreter can be provided. If the
79 litigant wishes to proceed without the use of an interpreter, a proper waiver on the record will be
80 made by the judicial officer presiding over such event.

81
82 The Court has an electronic case management system that court staff uses to populate fields
83 indicating language services are required, and in which language, that is good for the life of the
84 case. Physical files are also marked with those same notations. Once a case is marked as
85 needing language access services, the Court will automatically provide an interpreter for the life
86 of the case for all court proceedings.

87
88 **3. Interpretation Resources**

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90 The Oro Valley Magistrate Court works collaboratively with other courts in Pima County to

91 identify qualified interpreters for use by the Court. Additionally, the Administrative Office of
92 the Arizona Supreme Court (AOC) maintains a statewide roster of individuals who indicate they
93 have interpreting experience and have expressed interest in working in the courts. This roster is
94 available to court staff on the Internet at <http://www.interpreters.courts.az.gov>. The Oro Valley
95 Magistrate Court will determine the competence of the persons listed.

96
97 The AOC has also created a statewide listserv to allow courts to communicate via email on court
98 interpreter-related matters. The listserv is an excellent resource to locate referrals for specific
99 language needs. The Oro Valley Magistrate Court may utilize these resources as needed for
100 interpreter services.

101 Video Remote Interpreting

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103
104 The AOC has installed video conferencing equipment at the State Courts building that will allow
105 courts with compatible technology to remotely conference an interpreter from the Phoenix metro
106 area or from another court jurisdiction into their court to improve resource allocation and reduce
107 time and costs associated with interpreter travel. Oro Valley Magistrate Court does not currently
108 have the capability to utilize this resource. The Court will evaluate this for future consideration
109 and may utilize this resource if local interpreters are not available.

110 **B. Language Services Outside the Courtroom and Court-Ordered Services and** 111 **Programs**

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113
114 The Oro Valley Magistrate Court is also responsible for taking reasonable steps to ensure that
115 LEP individuals have meaningful access to all court services and programs outside the
116 courtroom, including but not limited to routine contact with court personnel. Court-ordered
117 services and programs include but are not limited to treatment or educational programs provided
118 by a court employee or a private vendor under contract with the court. Contracts with vendors
119 that provide direct services to court users will include the requirement that the vendor provide
120 language services, including interpreters, for all LEP individuals.

121
122 The court uses the following resources to facilitate communication with LEP individuals and
123 court staff or providers of court-ordered services:

- 124
- 125 • Independent interpreter contractors;
- 126 • Bilingual employees in the following languages: Spanish;
- 127 • Limited written information in Spanish on how to access and navigate the court;
- 128 • A court public phone line with key instructions provided in Spanish to request court
129 services.
- 130 • “I Speak” cards, to identify the individual’s primary language;
- 131 • Multilingual signage in the lobby of the courthouse in the following languages: Spanish;
- 132 • Telephonic interpreter services, (from contract interpreters or an agency); and,
- 133 • Video remote interpreting services (where and when available)
- 134 • The terms of the court’s contracts with providers of court-ordered services.
- 135

136
137 To provide linguistically accessible services for LEP individuals, the Oro Valley Magistrate
138 Court provides the following:

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140
- Written informational and educational materials and instructions in Spanish.
 - Website link from court's website to the Supreme Court's Spanish translated webpage for court forms and instructions (when available) [NOTE: Forms applicable to Magistrate court from AOC are minimally available on this webpage]
 - LAP, complaint form and process which is also available online.
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142
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145
146 **1. Assistance to Understand Court Procedures and Policies**

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148 Services offered by the court generally to English-speaking customers pursuant to the
149 Employee Code of Conduct (ACJA §1-303) must also be provided to LEP litigants in their
150 language.

151
152 **2. Assistance to Fill-out Court Forms and Pleadings**

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154 The Oro Valley Magistrate Court will assist in the filling-out of court forms for those LEP
155 court customers who are unable to do so either by themselves or with the assistance of
156 another competent adult proficient in English and able to render assistance in a timely
157 manner.

158
159 **C. Court Appointed or Supervised Personnel**

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161 The Oro Valley Magistrate Court also shall ensure that court appointed or supervised personnel,
162 including but not limited to guardians ad litem, court psychologists and doctors provide language
163 services, including interpreters as part of their service delivery system to LEP individuals.

164
165 **D. Translated Forms and Documents**

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167 The Arizona courts understand the importance of translating forms and documents so that LEP
168 individuals have greater access to the courts' services. The Oro Valley Magistrate Court
169 currently uses forms and instructional materials translated into Spanish.

- 170
171
- The court has translated the following documents into the Spanish language:
 - 1) Information regarding Pretrial Conference/Arraignment (located in the lobby);
 - 173 2) Waiver of Counsel form (located in the Courtroom);
 - 174 3) Conditions of Probation form (located in the Courtroom);
 - 175 4) Proceeding on Acceptance of Plea form (located in the Courtroom)
 - 176 5) Bond Card.
 - In addition, there are various pamphlets translated into Spanish by a third party regarding
177 domestic violence, defensive driving program, law for seniors, child car seat safety,
178 driving without insurance and information regarding being by stopped by the police
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181 (published/translated by the Oro Valley Police Department). These documents are
182 located in the lobby.

- 183
- 184 • A link on the Court’s Internet website to the Arizona Supreme Court’s Spanish-translated
185 webpage at <http://www.azcourts.gov/elcentrodeautoservicio> [NOTE: Forms applicable to
186 Magistrate court from AOC are minimally available on this webpage]

187 **1. Sight Translation**

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189 The Court will provide assistance so LEP persons may understand court-issued documents
190 provided in English through sight translation or other reasonable means. Interpreters at court
191 hearings are expected to provide sight translations of court documents and correspondence
192 associated with the case.
193

194 **E. Website/Online Access**

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196 Oro Valley Court operates a page on the Town of Oro Valley’s website at
197 www.orovalleyaz.gov/town/departments/magistrate-court

- 198 • A copy of this language access plan is available on the webpage
- 199 • A notice about the availability of language services is written in Spanish and posted on
200 the Court’s webpage
- 201 • A hyperlink to the Arizona Supreme Court’s Spanish-translated webpage,
202 <http://www.azcourts.gov/elcentrodeautoservicio/Formularios-del-Centro-de-Autoservicio>
203 is available however Magistrate Court forms are minimally available.
204

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

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

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208 The Oro Valley Magistrate Court is an equal opportunity employer and recruits and hires
209 bilingual staff to serve its LEP constituents. Primary examples include but are not limited to:

- 210 • Bilingual staff to serve at public counters
- 211 • Regular interpreter contractors of the court

212 **V. Judicial and Staff Training** (see instruction 13):

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214 The Oro Valley Magistrate Court is committed to providing language access training
215 opportunities for all judicial officers and staff members. In 2016, every court staff employee
216 completed training on Title VI (Civil Rights Act of 1964) language access. All staff are
217 instructed about Language Access Plan (LAP) policies and procedures, as described in this LAP,
218 on an annual basis. In addition, training and learning opportunities currently offered will be
219 expanded or continued as needed. Those opportunities include:

- 220 • Annual Diversity Training;

- 226 • Cultural competency training;
- 227 • Language Access Plan training;
- 228 • New employee orientation training; and,
- 229 • Judicial officer orientation on the use of court interpreters and language competency;
- 230 • AOC's Language Access in the Courtroom Training DVD.
- 231 • AOC's language Access online training videos.

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233 **VI. Public Outreach and Education**

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235 Due to demographics, Oro Valley Magistrate Court does not participate in public outreach.
236 However, the Court has various public information & education pamphlets translated into
237 Spanish that are available in the front lobby of the Courthouse. The need for public outreach and
238 education will be reviewed annually and modified as needed.

239

240 **VII. Formal Complaint Process**

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242 If an LEP court customer believes meaningful access to the courts was not provided to them,
243 they may choose to file a complaint with the Oro Valley Magistrate Court's Language Access
244 Plan Coordinator. Complaint forms in both English and Spanish are available at the front
245 counter and on the Oro Valley Magistrate Court's webpage at
246 <https://www.orovalleyaz.gov/town/departments/magistrate-court>. A copy both in English and
247 Spanish is also attached to this LAP. Complaint forms in a language other than English are
248 available for download from the Arizona Supreme Court's webpage at
249 <https://www.azcourts.gov/selfservicecenter/Forms/Language-Access-Complaint>.

250 The Court will respond to any complaint within 30 days and the records will be maintained as
251 public records.

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

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255 **A. LAP Approval and Notification**

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257 The Oro Valley Magistrate Court's LAP is subject to approval by the presiding judge and court
258 administrator. Upon approval, a copy will be forwarded to the Superior Court Presiding Judge
259 and to the AOC Court Services Division. Any revisions to the plan will be submitted to the
260 presiding judge and court administrator for approval, and then forwarded to the AOC. Copies of
261 Oro Valley Magistrate Court's LAP will be provided to the public on request. In addition, this
262 plan will be posted on the Court's Web site.

263

264 **B. Evaluation of the LAP**

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266 The Oro Valley Magistrate Court will routinely assess whether changes to the LAP are needed.
267 The plan may be changed or updated at any time but reviewed not less frequently than biennially
268 by the Court's Language Access Coordinator.

269

270 The Court will review the effectiveness of the court's LAP and update it as necessary. From time

271 to time, the court may consider using a survey sampling of data collection for a limited time
272 perior which involves assessing language access requests to assist in the evaluation of the LAP.
273 The evaluation will include identification of any problem areas and development of corrective
274 action strategies. Elements of the evaluation will include:

- 275
- 276 • Number of LEP persons requesting court interpreters and language assistance;
- 277 • Assessment of current language needs to determine if additional services or translated
- 278 materials should be provided;
- 279 • Assessment of whether court staff adequately understand LEP policies and procedures
- 280 and how to carry them out;
- 281 • Review of feedback from court employee training sessions;
- 282 • Customer satisfaction feedback;
- 283 • Review of any language access complaints received during this period.
- 284
- 285

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

287 Suzanne D. Wentzel, Court Administrator
288 Oro Valley Magistrate Court
289 11000 N. La Canada Drive
290 Oro Valley, AZ 85737
291 520-229-4780, swentzel@courts.az.gov

292

293 **D. AOC Language Access Contact:**

294 David Svoboda
295 Court Services Division
296 Administrative Office of the Courts
297 1501 W. Washington Street, Suite 410
298 Phoenix, AZ 85007
299 (602) 452-3965, dsvoboda@courts.az.gov

300

301 **E. LAP Effective date:** September 9, 2019

302

303 **F. Approved by:**

304

305 Presiding Judge:


Hon. George Dunscomb

Date: 9/9/2019

306

307

308 Court Executive Officer:


Suzanne D. Wentzel, Court Administrator

Date: 9/9/2019

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