

**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 2012):

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

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

III. Language Assistance Resources

A. Interpreters Used in the Courtroom

1. Providing Interpreters in the Courtroom

In the Oro Valley Magistrate Court, 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 Town 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 Oro Valley Magistrate Court may determine whether a court customer has limited English proficiency and will try to identify the language needs at the earliest point of contact. 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 court staff or outside justice partners such as 2xIA staff, police officers (as noted on the citation) or attorneys.

Signage throughout the court building indicating interpreter services are available may also help to identify LEP individuals. The Oro Valley Magistrate Court will display this sign at the following locations: lobby of the court building.

The need for an interpreter also may be made known in the courtroom at the time of the proceeding. Oro Valley Magistrate Court attempts to schedule Spanish speakers requiring an interpreter on the second Tuesday afternoon of each month. In a case where the court is mandated to provide an interpreter, but one is not available at the time of the proceeding, 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 Oro Valley Magistrate Court maintains a list of qualified interpreters and works collaboratively with the other courts in Pima County to identify interpreters. The AOC maintains a statewide roster of individuals who indicate they have interpreting experience and have expressed interest in working in the courts. The Oro Valley Magistrate 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. The Oro Valley Magistrate Court may utilize these resources as needed for interpreter services.

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 other courts to improve resource allocation and reduce time and costs associated with interpreter travel. Oro Valley Magistrate Court does not currently have the capability to utilize this resource. The Court will evaluate this for future consideration and may utilize this resource if local interpreters are not available.

B. Language Services Outside the Courtroom

The Oro Valley Magistrate 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, including but not limited to routine contact with court personnel. The Court is also 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 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 will 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:

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

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

- 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: Magistrate court forms currently not available from the AOC]
- LAP, complaint form and process which is also available online.

C. Court Appointed or Supervised Personnel

The Oro Valley Magistrate Court shall also ensure that court appointed or supervised personnel, including but not limited to court psychologists and doctors provide language services including interpreters as part of their 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 Oro Valley Magistrate Court currently uses forms and instructional materials translated into Spanish.

- The court has translated the following documents into the Spanish language:
 - 1) Information regarding Pretrial Conference/Arrest (located in the lobby);
 - 2) Waiver of Counsel form (located in the Courtroom);
 - 3) Conditions of Probation form (located in the Courtroom);
 - 4) Proceeding on Acceptance of Plea form (located in the Courtroom)
 - 5) Bond Card.
- In addition, there are various pamphlets translated into Spanish by a third party regarding domestic violence, defensive driving program, law for seniors, child car seat safety, driving without insurance and information regarding being stopped by the police (published/translated by the Oro Valley Police Department). These documents are located in the lobby.
- A link on the Court's Internet website to the Arizona Supreme Court's Spanish-translated webpage at <http://www.azcourts.gov/elcentrodeautoservicio> [NOTE: Magistrate Court forms are not currently available. This link will be utilized as soon as the Magistrate Court forms are made available by the Supreme Court]

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

E. Website/Online Access

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

- A copy of this language access plan is available on the webpage
- A notice about the availability of language services is written in Spanish and posted on the Court's webpage
- A hyperlink to the Arizona Supreme Court's Spanish-translated webpage, <http://www.azcourts.gov/elcentrodeautoservicio/FormulariosdeAutoservicio.aspx> available however Magistrate Court forms are not currently available. This link will be utilized as soon as the Magistrate Court forms are made available by the Supreme Court.

IV. Court Staff and Volunteer Recruitment

A. Recruitment of Bilingual Staff for Language Access

The Oro Valley Magistrate 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:

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

V. Judicial and Staff Training:

The Oro Valley Magistrate 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:

- Diversity Training;
- Cultural competency training;
- LAP training;
- 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

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

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 Oro Valley Magistrate Court's Language Access Plan Coordinator. Complaint forms are available at the front counter and on the Oro Valley Magistrate Court's webpage ([copy attached to this LAP](#)). The Court will respond to any complaint within 30 days and the records will be maintained as public records.

VIII. Public Notification and Evaluation of LAP

A. LAP Approval and Notification

The Oro Valley Magistrate Court's LAP is subject to approval by the presiding judge and court executive officer. Upon approval, a copy will be forwarded to the Superior Court Presiding Judge and 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 Oro Valley Magistrate Court's LAP will be provided to the public on request. In addition, this plan will be posted on the Court's Web site.

B. Evaluation of the LAP

The Oro Valley Magistrate 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.

The Court 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. Elements of the evaluation will include:

- Number of LEP persons requesting court interpreters and 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;
- Customer satisfaction feedback;
- Review of any language access complaints received during this period.

C. Trial Court Language Access Plan Coordinator:

Suzanne D. Bunnin, Court Administrator
Oro Valley Magistrate Court
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Oro Valley, AZ 85737
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D. AOC Language Access Contact:

Amy Wood
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Administrative Office of the Courts
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E. LAP Effective date: September 21, 2015

F. Approved by:

Presiding Judge: [Hon. George Dunscomb] Date: [_9/21/2015_]

Court Executive Officer:

[Suzanne D. Bunnin, Court Administrator] Date: [_9/21/2015_]