State of Michigan Washtenaw County 15th District Court	**LANGUAGE ACCESS PLAN**	**Local Administrative Order 2014 -____**

Effective date: Upon Approval of the State Court Administrative Office

In accordance with Supreme Court Administrative Order 2013-8, the Court establishes this **Language Access Plan (LAP)** to provide for the language access needs of Court users.

This LAP is the plan for the 15th District Court to ensure meaningful access to Court services for persons with limited English proficiency (LEP). A limited English proficient person is any person who does not speak English as his or her primary language and who has a limited ability to read, write, speak, or understand English, and by reason of his or her limitations, is not able to understand and meaningfully participate in the Court process without language assistance.

The purpose of the plan is to provide a framework for the provision of timely and effective language assistance to LEP persons who come in contact with the 15th District Court.

The three judges of the 15th District Court recognize that **meaningful access for all users of the Court, including those with limited English proficiency, is a critical priority.**

The Court has appointed a **Language Access Coordinator (LAC)** to be the contact person for the public, Court staff, and SCAO concerning this plan and its implementation. The Language Access Coordinator may be contacted through the Court Administrator's office. The Language Access Coordinator's contact information will be posted on the Court's website and at the Clerk's office.

IT IS ORDERED:

Section I. Needs Assessment

A. Census Data

The Court will make every effort to provide effective service to all LEP persons in the Court's service area. The following list shows the non-English languages most frequently spoken in the Court's physical jurisdiction, according to the SCAO website: *Chinese, Korean, Spanish, Japanese.*

B. Court Experience

Based on Court usage, other non-English languages are spoken in the Court and may not be reflected in the US Census data.

The American Community Survey data presented on the SCAO website lists numerous other languages spoken in the City. The languages listed in Section A, above, cover about 70% of the LEP individuals identified by the ACS. Washtenaw County is the home of two major state universities and is among the

most active cultural and entertainment centers in the state. The ACS numbers may undercount the actual numbers of LEP individuals in the county.

In terms of the Court's actual experience, the documented use of interpreters does not align directly with the ACS data. The Court has appointed translators in the four languages noted above, but the Court has also appointed translators in other languages, including Amharic, Arabic, French, and Hindi. In terms of volume, the Court has appointed translators in ten or more cases in three languages in 2013: Spanish (50); Arabic (19); Chinese (10).

C. Identification of LEP Persons

Court staff use the following methods to identify LEP persons:

*Some people ask for an interpreter;
*Court staff watch for and identify people who need assistance (at the Clerk's counter, on the telephone, at Probation, and in Court);
*Court staff, including judges and the Magistrate, ask people if they need or would like assistance;
*The attorney for a litigant may notify the Court that an interpreter is needed;
*The Court has "I speak" cards from the National Center for State Courts available at the Clerk's counter, Probation, and in the courtrooms.

Section II. Language Assistance Resources

A. Interpreters Used In the Courtroom

The Court will offer assistance to LEP persons in the courtroom by providing foreign language interpreters as required by Michigan Court Rule 1.111.

B. Language Services Outside the Courtroom

The Court will take reasonable steps to ensure that LEP persons have meaningful access to services outside the courtroom. This is one of the most challenging situations facing court staff, because in most situations they will encounter LEP persons without an interpreter present. LEP persons may come in contact with Court personnel via:

* Security when Court users enter the building;
*At the Clerks' counter when Court users check in for cases, appear to pay fines and costs, etc.;
*On the telephone, when Court users contact the Court for any reason;
*At the Probation office, when criminal defendants meet with probation officers;
*In the courtrooms, for situations not otherwise covered by MCR 1.111.

Court staff will consult with the Court's Language Access Coordinator to determine what type of language service should be made available, based on the nature and importance of the Court service to be provided and resources available.

The following language services are available:

* "I speak" cards at the Clerks' office, at Probation, and in the courtrooms.
*Phone translation services in the Clerks' office, Probation, and the courtrooms.
*Court employees who are fluent in languages in addition to English.

The 15th District Court contracts with the Washtenaw County Sheriff's Department to provide Security at the courthouse. The Language Access Coordinator will work to ensure that Security Officers know they should promptly contact the Court's LAC if any LEP user of the Court appears to need assistance. The LAC or her designee will then promptly respond to the Security Station and personally assist the individual.

C. Service Referrals

The Court will make reasonable efforts to ensure that a non-federally funded entity to which the Court refers LEP persons for services has provisions for addressing their needs. The Court will consider viable alternatives if language access is not provided by such a non-federally funded entity. In fact, the 15th District Court was instrumental in requesting and obtaining a batterer intervention services program for Spanish-speaking defendants.

D. Forms & Documents

The State Court Administrative Office (SCAO) makes select translated forms available to the courts at http://courts.michigan.gov/Administration/SCAO/Forms/Pages/default.aspx. The 15th District Court is aware of and uses such forms, including the *Advice of Rights* forms.

1) Additional translated forms available to Court users include:

   "I speak" cards developed by the National Center for State Courts;
   The Domestic Violence Order of Conditional Release is available in Spanish;
   Title VI Complaint forms are available through the City of Ann Arbor in English, Spanish, and Chinese.

When in-person interpreters are hired for Court proceedings, they are expected to provide sight interpretation of documents for LEP persons.

2) Courthouse translation for LEP persons:

   "I speak" cards are available at the Clerks' counter, Probation, and in the courtrooms.
   The Court has a contract with a translation service for in person interpreters and with a phone-based translation service.

   The LAP Advisory Committee will be charged with recommending any signage needed in additional languages.

E. Other Provisions

In an effort to provide LEP persons language access to Court information, the Court also provides the following:

> Any complaints or alleged violations of the Court's Language Access Policy will be handled promptly by the Language Access Coordinator. An adverse administrative decision made under this Order may be reviewed by the 15th District Court Administrator. This does not in any way prohibit a person from raising the issue(s) before the Court or any other forum.

Section III. Training

The Court is committed to training its judges, Magistrate, clerks and other Court staff on providing LEP persons with meaningful access to Court services. When the Court provides training sessions, it will include a component addressing the importance of the LEP policy and procedure and the Court's LAP. The Court's LAP Advisory Committee is expected to seek out trainings and materials on "best practices" that can be implemented at the 15th District Court.

The Court will work with SCAO and MJI to ensure that all employees are trained on LEP policy and procedure. Training will be offered to assist judges and staff to: identify and effectively respond to LEP persons, increase awareness of the types of language services available, guide when and how best to access those services and effectively use language services.

The Court and the Advisory Committee will seek out and identify **training** the Court will offer on an ongoing basis for all Court staff, including judges and Magistrate, regarding "best practices" in use of the "I Speak" cards and effective language assistance.

Section IV. Public Notification and Evaluation of Language Access Plan

A. Language Access Plan Approval and Notification

The Court's LAP will be implemented upon approval of the State Court Administrative Office. The Court will post its LAP on its public website and public notification area within the courthouse and will make copies of the LAP available upon request.

The Court consulted with the following members of the community in creating its LAP:

Legal Services of South Central Michigan
University of Michigan Clinical Law Program
Michigan Immigrant Rights Center
Michigan Legal Help
La Casa Latina
Resources from the National Center for State Courts

B. Evaluation and Review of the LAP

The Court will continually assess whether the LAP needs updating and as directed by SCAO. Recommendations from the LAP Advisory Committee will be reviewed by the judges, Language Access Coordinator and Court Administrator for possible implementation. The LAP will remain in effect unless modified or updated. Review of the following areas may indicate a need to update the LAP:

- Number of LEP persons requesting Court interpreters or language assistance;
- Funding provided or available for languages services;
- Current language needs to determine if additional services or translated materials should be provided;
- Recommendations of the Court's LAP Advisory Committee;
- Feedback from LEP communities within the county;
- Court staff (turnover, new hires, etc.);
- Feedback from trainings provided by the Court or SCAO/MJI
- Viability of identified language services and resources;
- Problem areas and corrective action strategies;
- Updated census data.

The Court will establish a **LAP Advisory Committee** to monitor implementation of the LAP and recommend improvements. The Committee will first address issues with Spanish-speaking users of the Court since they represent the largest percentage of LEP litigants in the 15th District Court. A Spanish interpreter who has Court experience will be asked to participate on the committee. Other members to be invited include: a representative of the offices of the Washtenaw County Prosecutor, the Ann Arbor City Attorney, an attorney who routinely represents indigent defendants, and Legal Services of South Central Michigan, the Language Access Coordinator, a clerk, and the Chief Judge or his or her designee.

The Committee will identify and may invite other Court staff, stakeholders and community partners to join the Committee. The Committee will gather input from internal and external sources, anonymously or otherwise, to identify needs of Court users and suggest improvements.

The Language Access Coordinator for this Court will ensure this plan is followed, advise the Court on potential updates to this plan, and coordinate the language access needs for the Court as they arise. The Court has identified the name and contact information of the Language Access Coordinator and advised the State Court Administrative Office. The Court will notify the SCAO regional office of any changes to the Language Access Coordinator's contact information or if a new Language Access Coordinator is named.

Date: 1-15-14 Chief Judge Signature: Elizabeth Hines

Elizabeth Pollard Hines, P27711