State of Michigan

***27th Judicial Circuit Court***

**County of Newaygo**

**LOCAL ADMINISTRATIVE ORDER**

27th Judicial Circuit Court – Newaygo County LAO #2013- 02

Administrative Order 2013- 02

**LANGUAGE ACCESS PLAN**

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 will assist the court in ensuring meaningful access to court services for persons with limited English proficiency (LEP). A person with limited English proficiency does not speak English as his or her primary language, and has a limited ability to read, write, speak or understand English. Due to these limitations a limited English proficient individual is not able to meaningfully understand or participate in the court process.

In addition to ensuring that limited English proficient individuals obtain meaningful court access, this LAP also provides a framework for the provision of timely and effective language assistance to LEP persons who come into contact with the court.

The court has appointed a Language Access Coordinator to represent the court with the public, court staff, and SCAO concerning this LAP and its administration and implementation. The Language Access Coordinator may be contacted through the court administrator's office and/or via direct interaction with the court.

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**IT IS ORDERED:**

**Section I: Needs Assessment**

**A. Census Data**

The court will make every effort to provide 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:

1. Spanish
2. German
3. Other West Germanic Languages (Dutch)

### B. Court Experience

The court's experience and interaction with LEP persons directly reflects the aforementioned languages identified by census data at this time. However, if the court's experience or census data changes over time, the LAP will need to be modified to accommodate the needs of LEP persons within our court system.

### C. Identification of LEP Persons

Court staff utilizes the following methods to identify LEP persons:

1. *I Speak Cards* – It will most often be front line staff dealing with a LEP individual for the first time. *I Speak Cards* will be available at every window work station so that they are readily accessible for staff working with a limited English proficiency person at the window.

2. *Signage* – The court lobby will be equipped with signage near the entry way which asks incoming clientele if they are, "In need of interpreter services?" This sign will then have interpreter information that the LEP person can access at his or her discretion. Additionally, signs providing the Language Access Coordinator's name and contact information will be presented in the different languages.

3. *Collaborative Agencies* – All court staff will be responsive to other agencies who contact court staff regarding LEP persons and their needs within other organizations so that they can be more easily assisted by our court staff.

## 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. The court has four essential types of contact with the public both at the courthouse and in the community. LEP persons may come in contact with court personnel through the following interactions or activities:

1. *Window* – LEP persons will first be in contact with court personnel at the Circuit Administration, Circuit Court Clerk, and Friend of the Court windows in the Circuit Court lobby. Staff at the window are responsible for assisting clients with checking in for appointments, paperwork, and responding to various requests for information.

2. *Phone* – Occasionally, LEP persons contact staff members via telephone. If the staff person is able to determine which language is being utilized then a small script will be read over the phone asking the LEP individual to please hold while a language line interpreter is acquired to assist with the conversation if this type of access to the language line is possible and reasonable for the court to provide. If the language that is being spoken is not identifiable to the staff member then the LEP person will be accommodated as much as possible until the LEP person disconnects the phone call.

3. *Appointments* – LEP persons will be meeting with staff members for various appointments that are not considered to be court hearings. These appointments include, but are not limited to: mediations, conciliations, probationary meetings, probation groups, preliminary meetings prior to show causes or motions for child support, parenting time, or custody matters, meetings to generate stipulated orders on behalf of the parties, adoption meetings, file viewings, and records requests.

4. *Non-Traditional Court Activities* – Whereas window and appointment access obviously occur within regular court hours, there are other non-traditional court activities that happen after court hours or off the court's county campus. The Friend of the Court hosts evening orientations. Additionally, the Juvenile Division has occasional community service projects where juveniles are supervised off-site to complete court ordered community service. Finally, the Juvenile Division also hosts diversion programming in the evenings for both juveniles and their parents and/or guardians.

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 the resources available. The following language services are available for LEP persons encountering different types of court interactions:

1. *Window* – If a staff member feels that a LEP person has approached the window then he or she will use the *I Speak Cards* to determine which language the individual is speaking. If the LEP person is not able to select a language, the staff person will contact the Language Access Coordinator and/or his/her designee who will have a complete set of *I Speak Cards* to assist the LEP individual in selecting the necessary language for them to effectively communicate with the court. A language line will be utilized for window clients with LEP so that questions can be answered and information can be presented. If, for any reason, a window staff person feels that this process does not suit the situation and that the language line is a less effective way of assisting the LEP person, the staff person will contact the Language Access Coordinator and/or his/her designee so that alternative arrangements can be made. For example, if the situation necessitates an in-person interpreter instead of one on the language line this determination will be made by the Language Access Coordinator. A staff member working with a LEP individual should always contact the Language Access Coordinator and/or his/her designee so that continuity of services can be

maintained for the LEP person as he/she progresses through court procedures. Finally, if a LEP person has brought an English speaking assistant with them to communicate with court personnel the *I Speak Cards* and language line will still be used to ensure that all information is properly conveyed to the LEP person. The English speaking person may choose to have assistance from the English speaking person they have brought with them while completing paperwork.

2. *Phone* – If staff members encounter a telephone call where the person is LEP, they will try and determine which language the LEP person is speaking. If the language being spoken can be ascertained, then scripted material will be read to the LEP person asking them to please hold for an interpreter. The staff member will then notify the Language Access Coordinator who may assist the staff member in dialing into the language line and connecting a three way call with the language line, the LEP person, and the staff member if this service is possible or reasonable for the court to provide. If the language the person on the phone is speaking cannot be determined, the staff member will continue to try and assist the LEP person on the phone until the LEP person disconnects the call.

3. *Appointments* – Staff members meeting with LEP persons for appointment purposes will follow the same procedures that window staff use. Appointment staff persons will use *I Speak Cards* to assist in determining which language should be used with a LEP person unless they have been previously notified by the Language Access Coordinator and the language is already determined. If the language is not determined the appointment staff will proceed with the *I Speak Cards* and accessing the language line to interpret for the appointment. Staff members will always default to attempting to use the language line first unless it is felt by the Language Access Coordinator and/or the staff person that an in-person interpreter is necessary. If this is the scenario an appointment may need to be rescheduled with the assistance of the language line to allow for the in-person interpreter to be present. Further, some appointments, due to their length (conciliations, etc.) may be better to schedule with an in-person interpreter at the discretion of the Language Access Coordinator and/or the staff person.

4. *Non-Traditional Court Activities* – In cases where a LEP person is scheduled for Friend of the Court orientation every attempt to coordinate the orientation with another appointment or visit will be made to ensure continuity of services and also make it more convenient for the LEP person. This will be especially true if an in-person interpreter will already be available for another appointment or visit. In instances where there is no other appointment or visit to coordinate with, then a separate appointment will be made to accommodate the LEP person's orientation or diversion needs. If a LEP person is scheduled for community service, every attempt will be made to align that individual with an acceptable community service venue where the language is utilized. If this type of setting is unavailable then community service may be provided by court staff and an in-person interpreter will be provided for the LEP person as necessary.

### 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.

### D. Forms and Documents

The State Court Administration Office (SCAO) makes select translated forms available to the courts at http://courts.michigan.gov/Administration/SCAO/Forms/Pages/default.aspx.

1. The court currently uses translated forms available from SCAO, but will begin building a forms library moving forward to better assist LEP persons. Forms will be assembled based on need in Spanish, German, and Dutch as resources become available to the court. This database of forms will be maintained and utilized by the Language Access Coordinator when meeting with LEP persons to address their needs.

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

2. The translation of written materials for LEP persons will be treated in the same fashion explained above when discussing window interactions (p. 3). Written materials can be read aloud over the language line and then translated for the LEP person. Signage, as specified within this language plan, will indicate that sight interpretation of documents is available.

### E. Other Provisions

In an effort to provide LEP persons language access to court information, the court will also provide the following:

1. Signage indicating who the Language Access Coordinator is in the aforementioned languages, with his or her contact information.

2. Information on the court's website in the aforementioned languages indicating who the Language Access Coordinator is and how to contact that person if you are in need of services.

## Section III: Training

The court is committed to training its judges, court staff, and county clerks on providing LEP persons with meaningful access to court services. When the court provides training sessions, it will include a component addressing LEP policy and procedure and the court's LAP. The court is aware that staff members having contact with the public are more likely to need in-depth training on LEP policy and procedure. Annual training will be provided for these reasons to also

keep staff aware of changes in policy, procedure, or tools utilized when working with LEP persons.

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 respond to LEP persons, increase awareness of the types of language services available, guide when and how to access those services, and effectively use language services. The court provides judges and court staff the following training regarding language access:

1. *Initial In-service* – This will be provided to judges and staff following the the approval of the LAP by SCAO. This initial training will cover the LAP and the policies and procedures from which the LAP was derived. *I Speak Cards* and language lines will be explained and demonstrated as these materials are dispersed as outlined in the LAP. Signage and the role of the Language Access Coordinator will also be outlined. Copies of the LAP will also be distributed to all judges and staff. The process for obtaining in-person interpreters will also be covered with all staff and judges. Trainings will be presented by the Court Administrator/FOC and the Language Access Coordinator. The back-up Language Access Coordinator will also be explained at this time.

2. *Annual Trainings* – These yearly trainings will be completed to refresh the details of the LAP for staff and judges. This will also be an excellent opportunity for new information to be presented to judges and staff. Training documentation will be be kept by the Language Access Coordinator. The Court Administrator/FOC and the Language Access Coordinator will be responsible for all trainings and distribution materials.

3. *Learning Experience Trainings* – Occasionally, situations will arise where it will be necessary to immediately educate staff and judges about information pertaining to assisting LEP persons. The Language Access Coordinator will be responsible for the delivery of such information to staff and judges in written form so it can be retained for future reference by staff and judges.

4. *New Hire Training* – A copy of the LAP will be provided to each incoming employee. Each new employee will sign an acknowledgement form that they have received and red the LAP. On the job training will be provided by other staff and by the Language Access Coordinator as necessary.

**Section IV: Public Notification and Evaluation of Language Access Plan**

**A. Language Access Plan Approval and Notification**

The court's LAP has been approved by the State Court Administrative Office (SCAO). The court will post its LAP on the court's public website and the public bulletin board areas within the courthouse. Copies of the LAP will be available upon request at the lobby window area. The current LAP will also be placed in the staff share drive, under the Local Administrative Order

folder, for easy access. The Language Access Coordinator will make sure that all materials will be updated in all of these venues as needed. Finally, the LAP has also been distributed to the local health care providers and school districts to encourage collaboration and feedback regarding persons with limited English proficiency and how the language access plan could be modified to better assist those individuals. The court will continue to work with the local community to incorporate any necessary changes in the future. As the LAP is modified in the future it will be redistributed to those entities again for further consideration and/or collaboration.

**B. Evaluation and Review of the LAP**

At the direction of SCAO, or on its own initiative, the court will assess whether the LAP requires updating. The LAP will remain in effect unless modified or updated. Review of the following areas may indicate a need to update the LAP:

1. Number of LEP persons requesting court interpreters or language assistance
2. Funding provided or available for language services
3. Current language needs to determine if additional services or translated materials should be provided
4. Feedback from LEP communities within the county
5. Court staff (turnover, new hires, etc.)
6. Feedback from trainings provided by the court, SCAO, or MJI
7. Viability of identified language services and resources
8. Problem areas and corrective action strategies
9. Updated census data

The Language Access Coordinator for this court ensures this plan is followed, advises the court on potential updates to this plan, and coordinates 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: 11-26-13 Chief Judge Signature: _____

SCAO Approval Date: _____