Judicial Council of California · Administrative Office of the Courts

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REPORT TO THE JUDICIAL COUNCIL

For business meeting on April 26, 2013

Title
Trial Courts: Enhancing Language Access Services for Limited-English-Proficiency Court Users

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Executive Summary

In September 2011, the State Justice Institute awarded the Administrative Office of the Courts (AOC) a grant to study language access services in California courts. The goal of the study was to identify tools, resources, best practices, and strategies other courts may want to replicate. The AOC contracted with the University of California, Hastings College of the Law to conduct the study using the Public Law Research Institute, part of UC Hastings' Center for State and Local Government Law. The attached report,"Enhancing Language Access Services for Limited-English-Proficiency Court Users," describes the study's results.

Previous Council Action

The Judicial Council adopted the following policy to achieve Strategic Goal I, Access, Fairness and Diversity[1] : "(9) Implement, enhance, and expand multilingual and culturally responsive programs, including educational programming, self-help centers, and interpreter services."

[1] As set forth in the Judicial Council's *Strategic Plan for California's Judicial Branch*, 2006-2012.

In that plan the Council also adopted Strategic Goal IV, Quality of Justice and Service to the Public, notes that "California's judicial branch is committed to providing quality justice to an increasingly diverse society. Many court users are poor; some are not fluent in English. Many more are unfamiliar with the scope, processes, and procedures of the American legal system…To foster and retain the respect, trust, and confidence of its diverse constituencies, the judicial branch must continue to anticipate and respond to these and other challenges."

Methodology and Process

In 2008, the National Center for State Courts published the report "*The Provision of Court Interpreter Services in Civil Cases in California: An Exploratory Study*." That report recommended among other practices that "[t]he AOC should consider a program through which it could systematically gather information on effective practices and disseminate it to provide a more consistent and comprehensive approach to language services."[2]

To address this recommendation and assist the courts in identifying best practices used by other California courts in addressing language access services, the AOC sought and received a grant from the State Justice Institute to conduct a study of practices throughout the state. The AOC contracted with UC Hastings School of Law to conduct the study using the Public Law Research Institute of UC Hastings' Center for State and Local Government Law.

Using interviews, three case studies, and a statewide survey, the Public Law Research Institute examined practices in six key areas of language initiatives:

1. Language Access Planning
2. Language Services in the Courtroom
3. Language Services Outside the Courtroom
4. Translated Court Forms and Other Documents
5. Notification of Services in Multilingual Material
6. Public Outreach and Education

The attached report, prepared by the Public Law Research Institute, describes the results of the study. Part One provides background information on California's demographics and court system, briefly discusses federal and state laws regarding language access, and describes the study's methodology.

Part Two identifies and describes noteworthy practices that California superior courts have implemented in the six key areas and describes how those practices help superior courts provide LEP court users with meaningful access to court services. Where possible, the report discusses how particular practices are relevant to language access norms developed by the U.S. Department of Justice and published in its *Guidance to Federal Financial Assistance Recipients*

[2] National Center for State Courts, *The Provision of Court Interpreter Services in Civil Cases in California: An Exploratory Study* (January 31, 2008), p. 4, *www.courts.ca.gov/documents/ncsc-report.pdf*.

Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons (DOJ LEP Guidance)[3] and to the American Bar Association's *Standards for Language Access in Courts (ABA Standards)*.[4]

Part Three identifies trends in implementation of language access services across languages, types of court proceedings, and regions.

Part Four contains case studies of three courts: the Superior Court of Alameda County, the Superior Court of Fresno County, and the Superior Court of Imperial County.

Summary of Findings

The report indicates that even in these extraordinarily difficult budget times, trial courts are finding creative solutions to help address the needs of persons with limited English proficiency (LEP) in their jurisdiction, such as the following:

- Developing a comprehensive and detailed LEP plan based on an assessment of the demand for language services among court users and within the community
- Evaluating that plan's peformance regularly
- Actively pursuing grant funding
- Identifying LEP court users early in the process
- Batching and calendaring cases to use interpreter time efficiently
- Assigning interpreters to provide services in nonmandated proceedings
- Using remote interpreting and other technological solutions for out-of-courtroom proceedings
- Hiring bilingual staff to help LEP court users at public points of contact
- Providing bilingual court personnel resources to aid communication with LEP court users
- Implementing one-stop–shop models
- Using bilingual volunteers and partnering with community organizations
- Translating information about court programs and services
- Tracking how often documents are used to establish priorities for translation
- Using data regarding community needs to determine the languages for translation of vital documents
- Applying a phased approach to translations
- Reviewing translations for accuracy
- Sharing translations
- Posting multilingual signage

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[3] *Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons*, 67 Fed.Reg. 41455-41472 (June 18, 2002), *www.justice.gov/crt/about/cor/lep/DOJFinLEPFRJun182002.php*.

[4] Standing Committee on Legal Aid and Indigent Defendants, *Standards for Language Access in Courts* (American Bar Association, Feb. 2012), *www.americanbar.org/content/dam/aba/administrative/legal_access_proposal .authcheckdam.pdf*.

- Increasing and improving multilingual signage incrementally
- Providing information on court websites in multiple languages directly or through an online translation program to increase LEP court users' awareness of court services
- Using electronic media to educate LEP court users about court proceedings and services
- Conducting workshops in the languages of LEP users to educate them about court systems and services
- Communicating with community-based organizations and other stakeholders to disseminate information to LEP users
- Establishing partnerships with political leaders and government agencies to gather feedback to improve court services to LEP users
- Increasing opportunities for the public to receive bilingual training to increase interpreter resources for the court
- Working with the media to disseminate court messages more cost-effectively
- Establishing formal commitments to memorialize programs, created through partnerships, that help LEP court users

Implementation Efforts

The report will be provided to all courts to assist them in addressing the needs of persons with limited English proficiency. The report will also serve as a foundational study for the joint efforts of the Judicial Council's Court Interpreters Advisory Panel and its Access and Fairness Advisory Committee toward crafting a statewide Language Access Plan as outlined in each of their annual agendas.

Attachments

1. Attachment A: *Enhancing Language Access Services for LEP Court Users: A Review of Effective Language Access Practices in California's Superior Courts*

Enhancing Language Access Services for LEP Court Users

A REVIEW OF EFFECTIVE LANGUAGE ACCESS PRACTICES IN CALIFORNIA'S SUPERIOR COURTS

CONDUCTED BY
Public Law Research Institute
Center for State / Local Government Law
UC Hastings College of the Law
San Francisco, California

DEVELOPED UNDER A GRANT TO
the California Administrative Office of the Courts
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State Justice Institute

JUDICIAL COUNCIL OF CALIFORNIA

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This report is also available on the California Courts website at *www.courts.ca.gov*.

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ENHANCING LANGUAGE ACCESS SERVICES FOR LEP COURT USERS:

A Review of Effective Language Access Practices in California's Superior Courts

State Justice Institute Grant SJI-11-N-179

February 26, 2013

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INTRODUCTION

The California court system—the nation's largest court system, with more than 2,000 judicial officers, 21,000 court employees, and 10 million cases—serves nearly 38 million people.[1] Of these, more than a quarter are foreign-born, and many – about 43 percent – speak a language other than English at home.[2]

Many are also limited English-proficient (LEP). A person is LEP if he or she does not speak, read, or understand English well enough to navigate the court system or participate in a courtroom proceeding.[3] According to the 2010 US Census, California is home to the country's largest LEP population.[4] Over 6.8 million Californians – over 27 percent of the population – describe themselves as not speaking English very well.[5] Without language access services, California's LEP court users often cannot meaningfully access the courts' programs and services.

In September 2011, the State Justice Institute (SJI) awarded the California Administrative Office of the Courts (AOC) a grant to study language access services in California courts. The study's goal was to identify tools, resources, and strategies other courts may want to replicate. The AOC contracted with the University of California, Hastings College of Law to conduct the study. Using interviews, three case studies, and a statewide survey, the study examined practices in six key areas of language initiatives:

1) Language Access Planning
2) Language Services in the Courtroom
3) Language Services outside the Courtroom
4) Notification in Multilingual Material
5) Translated Forms and Documents
6) Public Outreach and Education

This Report describes the study's results. Part One provides background information on California's demographics and court system, briefly discusses federal and state laws mandating language access, and describes the study's methodology.

Part Two identifies and describes noteworthy practices California superior courts have implemented in the six key areas, and describes how those practices help superior courts

[1] Administrative Office of the Courts (AOC), *California Judicial Branch Fact Sheet* (2010), available at www.courts.ca.gov/documents/Calif_Judicial_Branch.pdf.

[2] According to 2011 US Census Bureau estimates, California has a total population of 37,691,912 residents. 27.2% of that population is foreign-born while 43% speaks a language other than English at home. For more information about California go to www.quickfacts.census.gov/qfd/states/06000.html.

[3] According to the US Dept. of Justice (DOJ), people are LEP if they do not speak English as their primary language and they have a limited ability to read, write, speak, or understand English. *See* www.onlineresources.wnylc.net/pb/orcdocs/LARC_Resources/DOJGuidance/DOJGuidance.htm.

[4] ACS Table B16001, "Language Spoken at Home by Ability to Speak English for the Populations 5 Years and Over" available at http://factfinder2.census.gov/faces/nav/jsf/pages/index.xhtml.

[5] *Id*.

provide LEP court users with meaningful access to court services. Where possible, the Report discusses how particular practices are relevant to language access norms developed by the US Department of Justice's *Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons (DOJ LEP Guidance)* [6] and to the American Bar Association's *Standards for Language Access in Courts (ABA Standards)*. [7]

Part Three identifies trends in implementation of language access service across languages, types of court proceedings, and regions.

Part Four contains case studies of three courts: the Superior Court of Alameda County, the Superior Court of Fresno County, and the Superior Court of Imperial County.

Following Part Four is a glossary which explains terms used in the report.

[6] 67 FR 41455-41472 (June 18, 2002) available at www.justice.gov/crt/about/cor/lep/DOJFinLEPFRJun182002.php.

[7] DOJ, *Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons*, 67 FR 41455-41472 (June 2002) (hereafter, DOJ LEP Guidance), available at www.gpo.gov/fdsys/pkg/FR-2002-06-18/pdf/02-15207.pdf.

PART ONE: BACKGROUND AND METHODOLOGY

California has 58 trial, or superior, courts; one for each of California's 58 counties. The challenges these courts face in providing language access are as diverse as the counties they serve. In size, the superior courts range from the Superior Court for Los Angeles County which has 47 courthouses serving 9.5 million Los Angeles County residents to the Superior Court for Alpine County which has a single courthouse serving approximately 1,200 Alpine County residents.[8] The LEP population density varies throughout the state, from rural counties where less than one percent of the population is LEP to counties where over 20 percent of the population is LEP. Among counties with a significant LEP population, some are effectively bilingual while others are multilingual, with clusters of six or more languages in the county.

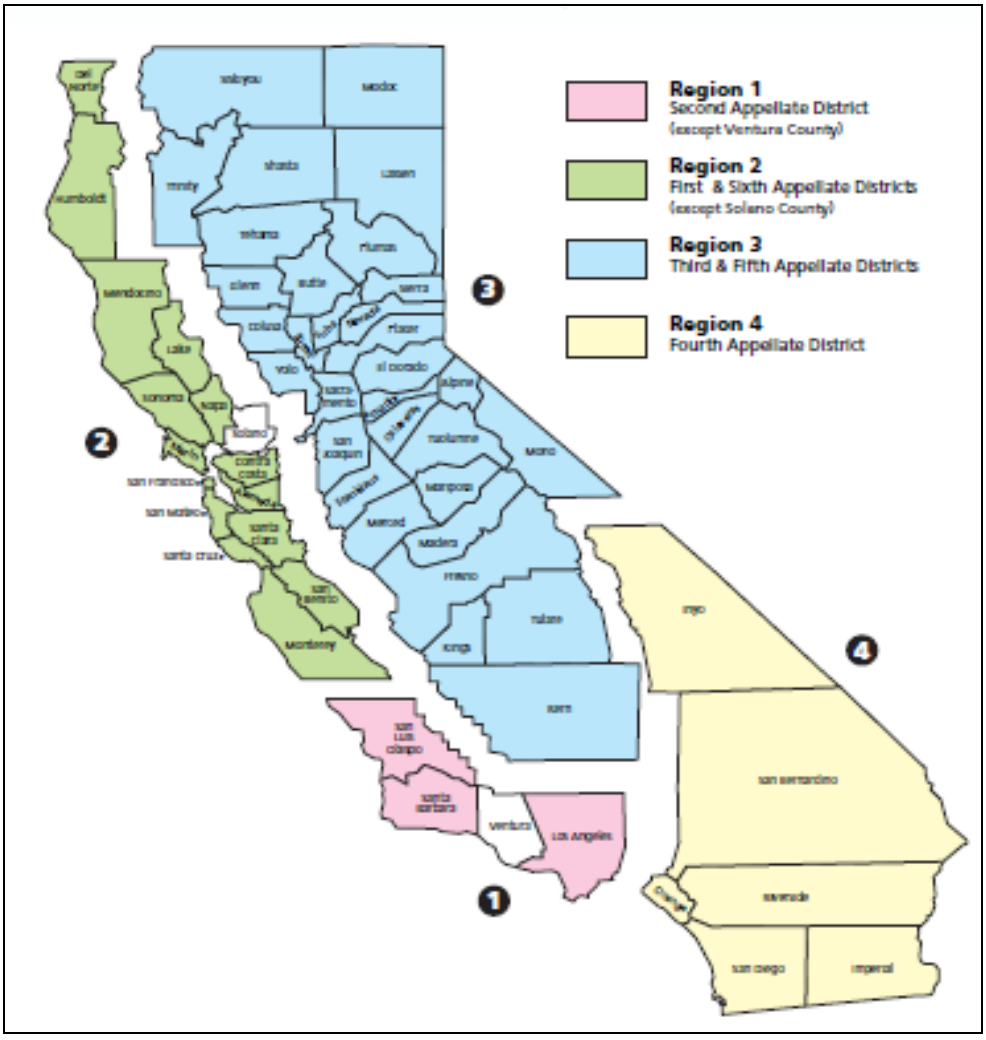
Each superior court implements and evaluates language services for its jurisdiction independently. For purposes of delivering court interpreter services, however, there is some statewide coordination. California Government Code section 68560 authorizes the Judicial Council – the policy-making body for the California courts -- to develop a certification program for court interpreters and to promulgate rules and standards for using interpreters.[9] The AOC, which staffs the Judicial Council and implements its policies, the Court Interpreters Advisory Panel, and the Court Interpreters Program assist the Judicial Council in carrying out this mandate.

The California Trial Court Interpreter Employment and Labor Relations Act (the Act) governs the employment relationship between the superior courts and court interpreters.[10] The Act assigns each superior court to one of four Court Interpreter Collective Bargaining Regions (the Regions) "for purposes of developing regional terms and conditions of employment for court interpreters and for collective bargaining."[11] The Regions, as the Act defines them, and illustrated below in Figure 1-1 are:

Region 1: Los Angeles, Santa Barbara, and San Luis Obispo Counties.
Region 2: Counties of the First and Sixth Appellate Districts, except Solano County.
Region 3: Counties of the Third and Fifth Appellate Districts.
Region 4: Counties of the Fourth Appellate District.

[8] For details about Los Angeles go to www.lasuperiorcourt.org/aboutcourt/ui/ and for details about Alpine go to www.alpine.courts.ca.gov/.
[9] *See* Cal. Gov. Code § 68560 *et seq*.
[10] Cal. Gov. Code § 71800 *et seq.*
[11] Cal. Gov. Code § 71807. The Act does not include Ventura County and expressly excludes Solano County. The *2010 Language Need Report* and this Report, however, include Ventura County in Region 1 and Solano County in Region 2.

Figure 1-1: Court Interpreter Bargaining Regions



Source: *2010 Language Need Report*, Appendix, Figure 2.1, p. 109.

Finally, the Government Code requires the Judicial Council to conduct a study of language and interpreter use and need in court proceedings every five years.[12] The most recent study – *2010 Language Need and Interpreter Use in California Superior Courts* (hereafter, *2010 Language Need Report*) – assesses language need and interpreter use from 2004 to 2008.[13]

The *2010 Language Need Report* uses the four Regions to analyze language need and interpreter use.[14] This Report also uses those four Regions to analyze trends in the development of innovative practices and relies extensively on the *2010 Language Need Report* for information on California's language needs and for information about the use of interpreters.

[12] Cal. Gov. Code § 68563.
[13] Cal. State Univ. Sacramento, Institute for Social Research, *2010 Language Need and Interpreter Use in California Superior Courts* (2010) (hereafter, 2010 Language Need Report).
[14] *See e.g.* 2010 Language Need Report, Appendix, Figure 2.1, p. 109.

Beyond its role with regard to interpreters, the Judicial Council and the AOC provide the superior courts with a wide range of programmatic resources to promote language access in the courts, particularly through the Court Interpreters Program and the Center for Families, Children and the Courts' Equal Access Unit.[15] Many of those resources are discussed as effective practices in this Report.

B. Need for Language Access Services in California's Superior Courts

According to US Census data, California is home to the country's largest LEP population. Over 6.8 million Californians describe themselves as not speaking English very well.

Table 1-1: Top States in Number and Share of LEP Residents

Rank	State	LEP Pop. (1000's)	Percent Share of Total US LEP Pop.
1	California	6,898	27.3%
2	Texas	3,359	13.3%
3	New York	2,458	9.7%
4	Florida	2,112	8.4%

Source: 2010 US Census, ACS Table B16001, "Language Spoken at Home by Ability to Speak English for the Populations 5 Years and Over" at http://factfinder2.census.gov/faces/nav/jsf/pages/index.xhtml.

According to the *2010 Language Need Report*, about 147 languages are requested for interpreting services in California courts.[16] Of those, California designates a total of 14 spoken languages for court certification status.[17] The highest demand statewide for interpreting services is, in order, in Spanish, Vietnamese, Korean, Mandarin, Russian, Eastern Armenian, Cantonese, Punjabi, Tagalog, and Farsi.[18]

The demand for Spanish language services, however, dwarfs the rest. Spanish accounted for over 80 percent of the interpreter service days from 2004 to 2008; no other spoken language exceeded three percent (see Table 1-2).[19] Vietnamese followed in second place at three percent while the remainder of the languages trailed at less than two percent (see Table 1-2).[20]

[15] *See* Equal Access Project information available at www.courts.ca.gov/partners/53.htm and Admin. Office of the Courts (AOC), Fact Sheet, *Court Interpreters* (March 2011) (hereafter, CIP Fact Sheet), available at www.courts.ca.gov/documents/Fact_Sheet-Court_Interpreters.pdf.
[16] *See* 2010 Language Need Report at 99-100.
[17] *Id.* at xiv.
[18] *See* 2010 Language Need Report, Table 2.1 *Total Mandated and Non-Mandated Service Days by Spoken Language and ASL, Statewide, Combined Study Period* (hereafter, 2010 Language Need Report Table 2.1) at 20. The 2010 Language Need Report provides data in relation to court service days for mandated proceedings.
[19] *Id.*
[20] *Id*.

Table 1-2: Total Service Days by Language Statewide, 2004-2008

Language	Number of Days	Percent of Total Days
Spanish	974,161	80.5%
Vietnamese	36,763	3.0%
Korean	18,846	1.6%
Mandarin	17,358	1.4%
Russian	15,198	1.3%
East Armenian	14,008	1.2%
Punjabi	11,093	.9%
Tagalog	9,790	.8%
Farsi	8,859	.7%

Source: 2010 Language Need Report, Table 2.1 at p. 20.
Days are for mandated and non-mandated services.

C. California's Commitment to Language Access

California's judicial branch is committed to providing access to justice for all court users. The Judicial Council regularly reviews state and national trends, court system values, external mandates, stakeholder expectations, and other forces that shape the environment of the courts. The Judicial Council responds to these issues by setting long-range strategic goals and developing systematic initiatives to meet these goals. As reflected in "Goal I – Access, Fairness, and Diversity" of the Judicial Council's Strategic Plan for California Judicial Branch 2006-2012 "the branch must work to remove all barriers to access and fairness by being responsive to the state's cultural, racial, socioeconomic, linguistic, physical, and age diversity."[21]

California's Constitution mandates that a "person unable to understand English who is charged with a crime has the right to an interpreter throughout the proceedings."[22] As the *CIP Fact Sheet states*, "this constitutional mandate and subsequent case law have been interpreted to include proceedings related to criminal, misdemeanor, and delinquency matters, as well as certain civil matters such as divorce or separation involving a protection order, and child custody and visitation proceedings."[23]

D. Language Access Norms: Federal Requirements and the ABA Standards

Like other courts throughout the US, the California courts are subject to federal requirements when they receive federal financial assistance. Title VI of the federal Civil Rights Act prohibits discrimination on the basis of race, color or national origin in any program or activity receiving

[21] *See* www.courts.ca.gov/4629.htm.
[22] Cal. Const. Art. 1 § 14.
[23] CIP Fact Sheet at 1. Persons who are deaf or hard of hearing are entitled to an interpreter when participating in all court proceedings, whether criminal or civil. *Id.*

federal financial assistance.[24] According to Executive Order 13166, denying access to government programs to LEP individuals violates Title VI.[25] As the DOJ explains, "[D]ispensing justice fairly, efficiently, and accurately is a cornerstone of the judiciary. Policies and practices that deny LEP persons meaningful access to the courts undermine that cornerstone."[26]

In 2002, the DOJ promulgated the *DOJ LEP Guidance* to help courts evaluate their obligations under Title VI.[27] The *DOJ LEP Guidance* identifies four factors courts should consider when developing language access plans and policies:

1) The number or proportion of LEP persons eligible to be served or likely to be encountered by the program or grantee;
2) the frequency with which LEP individuals come in contact with the program;
3) the nature and importance of the program, activity, or service provided by the program to people's lives; and
4) the resources available to the grantee/recipient and costs.[28]

In 2012, the American Bar Association adopted the *ABA Standards for Language Access in Courts*.[29] The *ABA Standards* are "intended to assist courts in designing, implementing, and enforcing a comprehensive system of language access services that is suited to the needs of the communities they serve."[30]

To the extent possible, this Report relates the practices it identifies to the four factors identified in the *DOJ LEP Guidance* and to the *ABA Standards*.

E. Methodology

To gather data for this Report, research was conducted in four stages. In the first stage, researchers reviewed LEP Plans from Superior Courts in 57 California counties.[31] Language access practices described in the LEP Plans were catalogued, and coded according to the type of practice, the language group affected by practice, and the type of court proceeding involved. Where feasible, researchers reviewed court websites and other documents to identify additional language access practices.

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[24] 42 U.S.C. § 2000d *et seq.*
[25] *See* Fed. Reg. Vol. 65, No. 159, § 1 (Aug. 16, 2000).
[26] DOJ, Civil Rights Division, Letter to Courts from Assistant Attorney general Thomas E. Perez, (Aug. 16, 2010) (hereafter 2010 DOJ Letter) available at www.lep.gov/final_courts_ltr_081610.pdf.
[27] *See generally* DOJ LEP Guidance.
[28] DOJ LEP Guidance at 41459-41461.
[29] American Bar Association, *ABA Standards for Language Access in Courts* (2012) available at www.americanbar.org/content/dam/aba/administrative/legal_aid_indigent_defendants/ls_sclaid_standards_for_language_access_proposal.authcheckdam.pdf.
[30] *Id*. at 113.
[31] An LEP Plan for the Superior Court of Amador County could not be located during this phase of the study, but was provided later by the AOC.

In the second stage, researchers conducted telephone interviews with key personnel of courts identified by the AOC. Based on the LEP Plan review, researchers developed interview questions and conducted in-depth interviews with identified court staff from three courts designated by the AOC as case studies (see Appendix A for interview questions).[32] Using the information generated by the interviews and in discussions with the AOC, a data instrument was developed for use in the third stage (see Appendix B for survey questions).

In the third stage, researchers visited the three courts selected for qualitative interviews in the second stage. On-site observations and interviews took place from April through June of 2012 (see Appendix C for observation tool). Information and observations from the interviews and on-site visits are illustrated in depth in the three case studies presented in Part Four.

Finally, in the fourth stage, a survey instrument was developed using information developed from the LEP Plan review, qualitative interviews, and the on-site visits. The survey was distributed via email to the Court Executive Officer for the superior court in each of California's 58 counties. Courts in 26 counties responded to the survey.[33]

The data for this Report were gathered only from published LEP plans, responses to the on-line survey, interviews, and site visits. Services not described in an LEP plan or not mentioned in a survey response or interview therefore were not captured. The study was not designed to be exhaustive or to identify every court providing a particular service.

[32] Courts were selected based on innovative practices highlighted in LEP plans and through other award programs, such as the KLEPs Award Program. Selected courts represented geographical and demographic variation.

[33] Although 28 courts provided responses (33 responses total); 2 courts did not include information beyond the identity of the person returning the survey and those courts were therefore excluded from the survey review.

PART TWO: EFFECTIVE PRACTICES

This Part identifies effective or innovative practices California superior courts have implemented in six areas:

1) Language Access Planning
2) Language Services in the Courtroom
3) Language Services outside the Courtroom
4) Notification through Multilingual Material
5) Translated Court Forms and Other Documents
6) Public Outreach and Education

Part Two also describes how those practices help superior courts provide LEP court uses with meaningful access to court services. Where possible, practices are evaluated for their relevance to language access norms developed in the *DOJ LEP Guidance* and the *ABA Standards*.

A. Language Access Planning

While the *DOJ LEP Guidance* stops short of requiring recipients of federal financial assistance to develop a formal LEP Plan, it stresses a plan's value "in providing a framework for the provision of reasonable and necessary language assistance to LEP persons."[34] An LEP Plan can also result in "training, operational and planning benefits."[35]

As the DOJ's *Language Access Assessment and Planning Tool for Federally Conducted and Federally Assisted Programs* (hereafter, *DOJ Assessment and Planning Tool*) explains, LEP Plans can provide a roadmap that helps agencies:

- navigate the process of setting deadlines, priorities, and identifying responsible personnel for policy and procedures development;
- hire, contract, assess, and ensure quality control of language assistance services (oral and written);
- provide notice of language assistance services; provide training of staff; and
- monitor and evaluate language assistance services.[36]

All 58 California superior courts have LEP Plans in place, and the *ABA Standards* identify California courts' use of LEP Plans as a best practice.[37] The LEP Plans are based on a model the superior courts developed with the AOC's assistance (see Appendix D to view the AOC's LEP

[34] DOJ LEP Guidance at 41455.
[35] *Id*. According to the DOJ, "even small recipients with limited contact with LEP persons would likely benefit from having a plan in place to assure that, when the need arises, staff have a written plan to turn to." *Id.*
[36] DOJ, Federal Coordination and Compliance Section Civil Rights Division, *Language Access Assessment and Planning Tool for Federally Conducted and Federally Assisted Programs* (May 2011) (hereafter, *DOJ Assessment and Planning Tool*) at 17, available at www.lep.gov/resources/2011_Language_Access_Assessment_and_Planning_Tool.pdf.
[37] ABA Standards at 28, n. 87.

Plan template and instructions).[38] The involvement of the AOC in supporting the creation of LEP Plans addresses ABA Standard 10, calling for state-wide coordination of language services, as do the sections of the Government Code centralizing authority in the Judicial Council over some aspects of interpreting and rules.[39]

1. Developing a comprehensive and detailed LEP Plan based on an assessment of the demand for language services among court users and within the community.

The first two of the four DOJ factors are "the number or proportion of LEP persons served or encountered in the eligible service population" and the "frequency with which LEP individuals come in contact with the program."[40] The *DOJ LEP Guidance* stresses that the starting point is to examine "prior experiences with LEP encounters."[41] Similarly, Standard 3 of the *ABA Standards* calls on courts to "develop procedures to gather comprehensive data on language access."[42]

Court Commitment to Language Access

LEP Plan of the Superior Court of California, County of Alameda

Mission Statement – "The Superior Court's 85 judicial officers in 15 court locations strive to provide meaningful access to justice for all in Alameda County, the seventh largest county in California with a growing and culturally diverse population of over 1.4 million people. We seek to implement a continuum of language access services from the threshold of the courthouse to the courtroom. A coherent and comprehensive language access plan will increase access and fairness to all, increase public trust and confidence in the courts, and improve the quality of justice and service to the public in Alameda County."

To determine the demand for language services, most courts use statistics available from the AOC's Court Interpreter Data Collection System (CIDCS), which aggregates court interpreter usage data received from the California superior courts.[43] Many courts, however, go beyond these statistics in assessing the need for language services. The LEP Plans of 16 courts indicate that those courts use US Census data to identify LEP populations within their counties specifically, and several courts track use of language access services for their court independently to provide a better basis for planning. Nearly half (26 of 58 courts) report that they survey court users about their experiences with language access services (see Appendix E for sample of court user survey in Spanish). These practices are effective ways to assess demand accurately.

[38] AOC LEP Plan at 1.
[39] ABA Standards at 109.
[40] DOJ LEP Guidance at 41459-41460.
[41] *Id.* at 41460.
[42] ABA Standards at 28.
[43] 2010 Language Need Report at 6.

Process to Update LEP Plans:

- annually evaluate
- re-assess use of services
- re-assess current language needs
- involve all court departments of public contact & judges
- seek feedback from community
- assess implementation

2. Involving the community and court leaders in the planning and implementation process.

Planning and implementation of an LEP Plan can be more effective if both community and court leaders are involved. The case study of the Superior Court of California, County of Alameda, discussed in Part Four, describes how a Community Focused Planning Meeting identified language access as a key concern, leading to the formation of a language access committee and an Action Plan that resulted in comprehensive and innovative language access programs (see Appendix F to review Alameda's language access initiatives).

3. Evaluating the LEP Plan's performance regularly to ensure timely and reasonable language assistance.

According to Assistant Attorney General Thomas E. Perez, the *DOJ LEP Guidance* "encourages recipients to develop and maintain a periodically-updated written plan on language assistance for LEP persons as an appropriate and cost-effective means of . . . providing a framework for the provision of timely and reasonable language assistance."[44] The process outlined in the sample LEP plan prepared by the AOC for updating LEP Plans – annual evaluations re-assessing use of services, current language needs, seeking feedback from the community, and assessing implementation – has been specifically identified as a best practice by the ABA.[45]

As described in the LEP Plans, this process involves reviewing:

- changes in court procedures or in the LEP public's needs;
- changes in the numbers of LEP persons requesting services;
- changes in applicable technology that might be available to the court;
- services and translated materials provided; and,
- feedback provided about the court's LEP services.

In an interview, the Interpreter Coordinator for the Superior Court of California, County of Fresno, discussed the review process. According to the Interpreter Coordinator, who is in charge of the update process, while the process may seem burdensome it is in fact very efficient. The Interpreter Coordinator reviews the LEP Plan, and then checks with all of the departments for updates and changes necessary to help LEP court users.[46] Reviewing the LEP Plan annually allows the Interpreter Coordinator to get ahead of potential problems related to language services before the problems grow and become unmanageable. Having all court

[44] DOJ Letter at 4.
[45] ABA Standards at 29, n. 87.
[46] Case Study, Superior Court of California, County of Fresno, Interview with Satvinder Franco, Interpreter Coordinator (April 12, 2012) (hereafter, Franco Interview).

departments contribute to the updating of Fresno's LEP Plan, helps the Interpreter Coordinator address potential problems that may begin in one department before the problems impact other departments.

4. Pursuing grant funding actively.

Focusing efforts on pursuing grant funding is often the key to implementing language access initiatives. According to the DOJ, "budgeting adequate funds to ensure language access is fundamental to the business of the courts" and although the Department recognizes that "state and local courts are struggling with unusual budgetary constraints that have slowed the pace of progress" in the area of language access, "fiscal pressures" will not provide an "exemption from civil rights requirements."[47]

Designating staff to pursue grant opportunities is an effective way to increase the funding available for language access services and activities. According to an Alameda interviewee, since 2007, when the Superior Court of California, County of Alameda designated a court staff member to write grant proposals for its language access initiatives, Alameda has been able to secure 4 grants for language access services.

Language access services and related programs are often contingent on funding, either from court budgets or from grants. Grants to California courts have funded a range of language access projects, including publication of materials, public outreach efforts and training programs. Potential sources of grant funding are outlined in the DOJ's publication, *Federal Funding Programs for State and Local Court Activities to Address Access to Justice for Limited English Proficient (LEP) Individuals*.[48] Support from foundations may also be available.[49]

Funding to community organizations can also indirectly expand language access services. For example, with a grant from the Equal Access Fund administered by the Legal Services Trust Fund Commission, the Watsonville Law Center "initiated a program to conduct outreach and education about legal rights to Spanish-speaking residents and to fund bilingual paralegals to be present at the Self-Help Center" in collaboration with the Santa Cruz County Superior Court.[50] In 2011, the California Bar Foundation distributed $221,000 in grants for projects that "focus on California's rural areas, where legal services are limited and language access projects are in demand by multi-lingual residents."[51]

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[47] 2010 DOJ Letter at 3, 4.

[48] DOJ, Federal Coordination and Compliance Section Civil Rights Division, *Federal Funding Programs for State and Local Court Activities to Address Access to Justice for Limited English Proficient (LEP) Individuals* (Aug. 2011)

[49] *Immigrant Integration Toolkit: Section 06: Promising Practices in Language Access (*Grantmakers Concerned with Immigrants and Refugees) (2006), available at www.gcir.org/system/files/59-70_lang_access.pdf.

[50] State Bar Association of California, The California Commission on Access to Justice, *Improving Civil Justice in Rural California* (Sept. 2010) at 42, available at www.calbar.ca.gov/LinkClick.aspx?fileticket=wBD9dBjuIm4%3D&tabid=216. Information about Equal Access Fund partnerships available at www.calbar.ca.gov/LinkClick.aspx?fileticket=yWNOa4EQF2o%3D&tabid=736.

[51] Leslie Hatamiya, California Bar Foundation, News Release, *California Bar Foundation Supports Innovative Access to Justice Projects with Grants Totaling $221,000* (Jan. 2011) at 1, available at www.calbarfoundation.org/uploads/3/6/1/0/3610702/cbf_grants_press_release_2011_01_12_final.pdf

B. Language Resources in the Courtroom

ABA Standard 4 states that "courts should provide competent interpreter services throughout all legal proceedings to persons with limited English proficiency."[52] The DOJ emphasizes that it "views access to *all* court proceedings as critical."[53] According to the *DOJ LEP Guidance*, "application of the four-factor analysis requires recipient courts to ensure that LEP parties and witnesses receive competent language access services during all hearings, trials and motions during which the LEP individual must and/or may be present."[54] The *DOJ LEP Guidance* adds that it "expects that meaningful access will be provided to LEP persons in all court and court-annexed proceedings, whether civil, criminal, or administrative including those presided over by non-judges."[55]

Over 95 percent of the courts that responded to the survey indicated that they are able to provide interpreter services for Spanish-speaking LEP court users, who constitute over 85 percent of the LEP population in California, in both mandated and non-mandated proceedings.

A review of the courts' LEP Plans, along with the interviews, site visits and survey, identified many specific effective practices in connection with language resources in the courtroom.

1. Identifying LEP court users early in the process.

ABA Standard 3.1 states that "courts should gather comprehensive language access data as well as individualized language access data at the earliest point of contact."[56] According to the DOJ, identifying LEP court users who need language services is critical to the first two steps of the four-factor analysis.[57] Early identification makes it possible to assign interpreters efficiently and to share interpreters through the cross-assignment process for languages other than Spanish.[58] It also reduces delays by reducing the need to continue cases when the need for an interpreter becomes apparent late in the process.[59]

To that end, the *DOJ LEP Guidance* suggests using "I Speak" cards and posting notices in commonly encountered languages that language services are available.[60] These practices are widespread in California courts. According to the LEP Plans, 42 of the 58 superior courts either have posted or have plans in place to post notices that interpreter services are available in the five most frequently encountered languages. About 33 courts' LEP Plans reference the use of "I Speak" cards (see Appendix G to view sample of AOC's I Speak card).[61]

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[52] ABA Standards at 37.
[53] DOJ Letter at 2.
[54] DOJ LEP Guidance at 41455, 41471.
[55] DOJ Letter at 2.
[56] ABA Standards at 28.
[57] DOJ LEP Guidance at 41464-41465.
[58] Richard Schauffler, Carola E. Green, Wanda Romberger, and William Hewitt, National Center on State Courts (NCSC), *The Provision of Court Interpreter Services in Civil Cases in California: An Exploratory Study (*2008) (hereafter, *Exploratory Study*) at 3, available at www.courts.ca.gov/documents/ncsc-report.pdf.
[59] *Id.*
[60] *DOJ LEP Guidance* at 41465.
[61] LEP Plans.

LEP court users can be identified at various points of public contact by court personnel including at court counters, self-help law centers, in the courtroom before proceedings commence, and by departments that handle particular proceedings. Identifying an LEP court user prior to a proceeding significantly assists court personnel in managing cases and scheduling interpreters.

The Kern County Superior Court has developed an effective practice for identifying the need for language services in domestic violence cases at the filing / submission stage. Kern uses a local filing form which asks if the parties need interpreter services (see Appendix H to view Kern's form). It is a simple step that prepares the court for upcoming proceedings. Because of Kern's success with the form in domestic violence cases, Kern hopes to extend its use to other types of family law cases. Kern's court partners such as attorneys, parole and probation officers, and legal aid workers also identify LEP clients and inform court staff of these court users' needs. Kern also has developed strong working relationships with the teams from the Department of Child Support Services who inform court staff in advance which cases involve Spanish-speaking clients.

2. Batching and calendaring cases to use interpreter time efficiently.

In 2008, the National Center for State Courts (NCSC) published a report*, The Provision of Court Interpreter Services in California: An Exploratory Study* (hereafter, *Exploratory Study*) which recognized that batching cases requiring interpreters and coordinating courtroom calendars were effective ways to use interpreters efficiently.[62] Batching is now a common practice in California's superior courts.

For courts in small counties who often rely on contract or shared interpreters, this can mean grouping hearings on dates on which a contract interpreter is already booked. For courts in larger counties, where Spanish language interpreters are on staff, batching has proven to be an effective practice in handling languages other than Spanish or for handling particular proceedings. The Superior Court of California, County of San Diego, for example, batches traffic cases involving languages other than Spanish on a predetermined day, and the Superior Court of California, County of Orange has found that "centralized coordination of all OTS [other than Spanish] cases has resulted in significant savings."[63]

Using calendaring software simplifies the process of determining whether interpreters will be in the court on another matter is an effective way to promote the incidental use of interpreters in non-mandatory proceedings. The Superior Court of California, County of Ventura uses GroupWise e-calendar software to schedule OTS cases together, increasing the maximum utilization of OTS interpreters. This makes it easier to move interpreters to non-mandatory proceedings like small claims immediately after mandatory proceedings have ended at no additional cost to the court.[64]

[62] Exploratory Study at 3.
[63] Orange's response to question 7. Orange reported; however, that efforts are underway to coordinate the Spanish interpreters' schedules more closely based on actual demand.
[64] Ventura's response to Question 7.

Options to improve efficiency are also available for courts with a single dominant language. To schedule its Spanish-speaking interpreters efficiently, the Superior Court of California, County of Imperial utilizes a system called "master calendaring." This system requires each fulltime interpreter to provide interpreting services for the master calendar (the calendar of cases heard by the presiding judge) for a month while the other interpreters provide interpreting services for other departments and courthouses (see Figure 2-1). After a month, the fulltime interpreters rotate positions. For that month:

- The master-calendar interpreter is the "go-to interpreter" at the main courthouse where the main felony calendar is heard.
- The master-calendar interpreter is called to assist in other areas of the court as needed and is assigned to produce all written translations.
- The second interpreter is assigned to all arraignments.
- The third interpreter is assigned to all misdemeanors, and so on.

Because the master-calendar interpreter works closely with the presiding judge who is in charge of the calendar, that interpreter stays aware of language service needs in the court room. The master-calendar interpreter can inform the person coordinating the interpreters about any upcoming trials that may require language assistance. Because the need for an interpreter is known in advance, delays due to a lack of interpreters are reduced.[65]

Figure 2-1: Sample of Master Calendaring Schedule

Imperial County Superior Court
Interpreter Schedule

WEEK OF: May 14, 2012

COURTS	MONDAY 14	TUESDAY 15	WEDNESDAY 16	THURSDAY 17	FRIDAY 18
BRAWLEY	Ernie PM Traffic – VP	PM – Ernie	Ernie	Ernie PM Traffic – VP	X
CALEXICO	JoAnn (AM Only)	JoAnn (AM Only)	JoAnn (AM Only)	X	Mary Ellen PM Traffic – VP
JAIL	Josh	Josh	Josh	JoAnn (AM Only) PM – Mary Ellen	Josh
JUVENILE	Mary Ellen	Mary Ellen PM EC (Fam Supp)	Mary Ellen + PM	D5 EC Staff	D5 EC Staff
MASTER-ELC	Dorothy	Dorothy PM SP	Dorothy	Dorothy PM SP	Dorothy
ARRG MISD	Marcia (AM Only)	Ernie	Marcia (AM Only)	Mary Ellen PM – Jail	Ernie
D3 – FAM LAW	EC Staff	EC Staff	EC Staff	EC Staff	EC Staff
TROs	Dept 2 EC Staff	X	X	Dept 8 EC Staff	X
D8 VAs	EC Staff	X	X	EC Staff	X
D8 FAM SUPPORT	X	Mary Ellen	Dorothy	X	X
VP - TRAFFIC	PM – Ernie	X	X	PM – Ernie	PM – Mary Ellen
WINTERHAVEN	X	X	X	Josh	X

Ernie – Out PM

[65] Case Study, Superior Court of California, County of Imperial, Interview with Mona Gieck, Administrative Assistant to the CEO (May 3 and 17, 2012) (hereafter, Gieck Interview).

The Superior Court of California, County of San Diego, located in a county with a significant Spanish-speaking population created a specific fulltime position – Floater Interpreter – to improve interpreter coverage at the courts and reduce the need to hire costly independent contractors. Taking into account its average daily needs to cover Spanish-speaking cases in its various divisions, San Diego hired two fulltime Floaters. Each courthouse is assigned fulltime Spanish-speaking interpreters, while the Floaters travel throughout that county providing supplemental coverage where it is needed. According to San Diego, implementing the floater positions resulted in cost savings due to the reduced hiring of independent contractors to cover when the divisionally-assigned fulltime interpreters are out on leave.[66]

3. Assigning interpreters to provide services in non-mandated proceedings.

As explained earlier, California's Constitution provides that a "person unable to understand English who is charged with a crime has the right to an interpreter throughout the proceedings."[67] As the *CIP Fact Sheet states*, "this constitutional mandate and subsequent case law have been interpreted to include proceedings related to criminal, misdemeanor, and delinquency matters, as well as certain civil matters such as divorce or separation involving a protection order, and child custody and visitation proceedings."[68] Courts with LEP clients, however, work diligently to provide interpreters for non-mandated proceedings as well.

Having staff interpreters and contract interpreters provide services in non-mandated proceedings when they are not needed for mandatory proceedings (often referred to as "incidental use") is a cost effective way to use interpreter time efficiently thereby extending a court's resources for LEP court users. In their survey responses, nine superior courts reported using staff interpreters and independent contractors for non-mandated proceedings such as civil, small claims, and mediation.[69] Incidental use of interpreters where consistent with collective bargaining agreements was also reported in several courts' LEP Plans.

For example, the Superior Court of California, County of Riverside uses interpreters who have completed their assignments for mandated proceedings to assist the court staff with interpreting at the Clerk's Office, Self-Help Law Center, Mediation, and at any other court division/units. Interpreters may also be sent to service other courthouses.[70]

Some counties use their interpreters strategically. The staff at the Superior Court of California, County of Ventura, for example, checks the calendar throughout the day and when a calendar becomes manageable with one interpreter, other interpreters are moved to other areas like small claims or unlawful detainers.[71] The Superior Court of California, County of Tulare has

[66] San Diego's response to question 10 and follow up clarification via email on Aug. 7, 2012.
[67] Cal. Const. Art. 1 § 14.
[68] CIP Fact Sheet at 1.
[69] Responses to question 8 from Los Angeles, San Joaquin, Alameda, Butte, Riverside, Madera, Tulare, and Ventura. Superior courts that reported having interpreters on staff include Solano, Orange, Butte, San Joaquin, Riverside, Los Angeles, Ventura, San Francisco, Santa Clara, San Diego, Alameda, Imperial, and Fresno.
[70] Riverside's response to question 10.
[71] Ventura's response to question 8.

fulltime staff and independent contractors assist other courtrooms in need when the interpreters have finished serving their assigned courtrooms.[72]

4. Using remote interpreting and other technological solutions.

Roughly one-third of the courts surveyed identified the use of remote assistance programs, either-in the form of Video Remote Interpreting (VRI), video conferencing, or telephone assistance, to increase interpreting services and reduce costs.[73] Additionally, courts have reported the use of remote assistance to provide interpreter services for languages not otherwise readily available, such as OTS languages.

The Superior Court of California, County of Fresno often experiments with technology to find effective and inexpensive ways to serve LEP court users, especially when it comes to providing services in OTS or less commonly spoken languages. Recently, Fresno's Interpreter Coordinator organized a conference call for a court user located in Poland and a Registered Polish interpreter located in Los Angeles County because there were no qualified Polish interpreters in Fresno County. This accomplished the task of providing a qualified interpreter in a cost effective manner – it saved the court time in seeking an available interpreter, reduced delays for the court user, and coordinating everyone's schedules and eliminated fees that Fresno would have incurred had the interpreted needed to travel to Fresno.[74]

This practice may be most cost effective in courts lacking interpreter resources, or located in rural settings. While some courts, like the courts in Los Angeles County or in the City and County of San Francisco, have access to a large pool of qualified interpreters, courts in smaller or rural counties may have no certified interpreters living in their jurisdictions. This dearth of qualified interpreters can be expensive. For example, no certified Spanish interpreters live in Inyo County, so to provide a certified interpreter, the Superior Court of California, County of Inyo must cover the costs for the interpreter to travel five or six hours to get to the court in addition to the interpreter's fee.[75]

C. Language Services Outside the Courtroom

LEP court users should have meaningful access to all court services and programs, not just to courtroom proceedings.[76] The *DOJ LEP Guidance* states, "Providing meaningful access to the legal process for LEP individuals might require more than just providing interpreters in the courtroom."[77] The *ABA Standards* provide that, "courts should provide appropriate language access services to persons with limited English proficiency in all court services with public contact, including court managed offices, operations, and programs."[78] This section explores

[72] Tulare's response to question 7.
[73] 14 of the 26 survey responses and 5 of the 57 LEP Plans totals 19 out of 58 which equals 32.7% of all superior courts.
[74] Franco Interview.
[75] Inyo's response to question 10.
[76] DOJ LEP Guidance at 41459 ("Coverage extends to a recipient's entire program or activity.").
[77] *Id.* at 41471.
[78] ABA Standard 5 at 50.

effective practices California's superior courts have adopted to provide meaningful access to programs and services outside the courtroom.

1. Hiring bilingual staff to help LEP court users at public points of contact.

Bilingual staff in public contact positions can provide meaningful access to courts for LEP court users by explaining the legal process "before, during and after each event in the life of their case."[79] According to the ABA, "hiring bilingual personnel members who speak the languages that are frequently encountered in the court's jurisdiction is a particularly effective way to provide language access services." According to the DOJ, access to "points of public contact is essential to the fair administration of justice, especially for unrepresented LEP persons."[80]

Courts in all 58 counties report in their LEP Plans that they are committed to hiring bilingual staff to enhance language access. Of the 26 courts responding to the on line survey, 23 indicated they have bilingual speakers on site. Most bilingual court personnel speak Spanish, the most common language for California's LEP court users. Whether other languages are also well represented depends on the size of the population and demographics of the county in which the court sits. For example, the Superior Court of California, County of San Diego, situated in a populous and diverse county, reported in 2008 having over 240 bilingual employees who spoke Spanish, Vietnamese, or Tagalog.[81]

An effective practice applied by the courts is to concentrate bilingual personnel at points of initial public contact such as front counters and at "one stop shops" like Self-Help Law Centers. Data provided by the AOC showed that 39 of the 55 responding courts had Spanish speaking bilingual staff in their self-help centers. Of the responding courts, 14 had staff members working in their self-help centers who were bilingual in other languages, including Mandarin, Cantonese, Tagalog, Hmong, and other languages.[82]

The Superior Court of California, County of Imperial has developed a court greeter program at Imperial's main courthouse to improve its LEP court users' experience at court and to improve the courthouse's efficiency (see Figure 2-2). Every morning, someone from the court staff stands at the single entrance of the main courthouse to greet court users; guide them to their destinations; and answer general questions that court users might have as they arrive.

This program began after court staff noticed that many cases had to be rescheduled due to court users going to the wrong departments, court rooms, or courthouses. Since the program's inception, significantly fewer cases are delayed and Imperial has noticed a dramatic difference in efficiency and customer satisfaction.[83] As Figure 2-2 demonstrates, the responsibility of

[79] Exploratory Study at 4.
[80] 2010 DOJ Letter at 3.
[81] San Diego's LEP Plan.
[82] Self-Help Law Center, Quarterly Report Data provided by AOC.
[83] Gieck Interview. No other Imperial courthouse needs greeters; the main courthouse needs greeters because it handles numerous cases that vary greatly in topic.

court greeting is scheduled by department. Each department decides who to send and most departments allow people to volunteer.[84]

Figure 2-2: Sample of Court Greeter Schedule

Monday 2/27	Tuesday 2/28	Wednesday 2/29	Thursday 3/1	Friday 3/2
Access	Admin	Access	Criminal	Jury

Monday 3/19	Tuesday 3/20	Wednesday 3/21	Thursday 3/22	Friday 3/23
Crim (?)	Admin	Access	Criminal	Jury

Monday 4/9	Tuesday 4/10	Wednesday 4/11	Thursday 4/12	Friday 4/13
Jury	Admin	Access	Criminal	Jury

Monday 4/30	Tuesday 5/1	Wednesday 5/2	Thursday 5/3	Friday 5/4
Admin	Admin	Access	Criminal	Jury

Monday 5/21	Tuesday 5/22	Wednesday 5/23	Thursday 5/24	Friday 5/25
Access	Admin	Access	Criminal	Jury

Monday 6/11	Tuesday 6/12	Wednesday 6/13	Thursday 6/17	Friday 6/18
Criminal	Admin	Access	Criminal	Jury

2. Providing bilingual court personnel resources to aid communication with LEP court users.

Many superior courts have invested in tools to make their bilingual staff an effective source of languages for LEP court users. Typical tools for support staff include:

- "I Speak" cards, to assist in identifying the appropriate language for an LEP court user
- Bilingual employee contact lists to aid in identifying staff who can assist an LEP court user in her/his preferred language
- Bilingual and cultural competency training to help court staff better understand and address LEP court users' needs
- Procedural guidelines to help bilingual staff use language service tools correctly

[84] Gieck Interview.

- Bilingual legal material, like dictionaries and glossaries
- Access to services that provide interpreters over the telephone

Some superior courts have also introduced innovative tools for support staff such as remote assistance which include Skype and video conferencing. Use of remote interpreting technologies can increase LEP court users' access to resources by remotely connecting them to bilingual court staff. The Superior Court of California, County of Butte has only two bilingual employees to cover its three self-help law centers, Butte uses a video conferencing system to ensure that there is a Spanish-speaking staff member accessible to all three locations. The video conference system enables the bilingual staff to interact with the public in all locations.[85]

Technology can be an especially useful resource for support staff needing to reach LEP court users located in hard-to-reach areas, areas where LEP court users often reside. The Superior Court of California, County of Imperial, for example, is developing a program to use Skype services to communicate with parties in Mexico. This idea originated after court users who had to cross the border for court purposes expressed their concern about how expensive and time-consuming it is to travel to the court, especially from another country. For an LEP court user residing in Mexico, it is extremely burdensome to travel such a long distance to merely obtain instructions about how to fill out a form or fulfill other types of preliminary steps. Imperial is hoping to be able to instruct court users how to fill out forms over Skype or through other remote means to avoid the need for travel.[86]

3. Implementing one-stop-shop models creates an additional point of public contact to improve LEP court users' experience at the courthouse.

One-stop-shop models improve LEP court users' experiences at the courthouse by ensuring LEP court users obtain vital information about court services. They also provide an additional point of public contact. One of the programs most in demand at the Superior Court of California, County of Alameda is the combined Self-Help and Family Law Facilitator Center (the Center) which serves 36,000 people per year at three cities in Alameda County: Hayward, Alameda, and Oakland.[87]

Language services are heavily in demand at the Centers, and thus, the Centers rely on bilingual staff. Consequently, most staff is bilingual, covering some of the Court's most frequently requested languages including Spanish and Vietnamese. At the Oakland Center, the staff speaks an array of languages including Spanish (four staff members), Vietnamese (two staff members), Portuguese, and French.[88]

[85] Butte's survey response to question 7.
[86] Case Study, Superior Court of California, County of Imperial, Interview with Guillermo Fernández Villalobos, Bi-national Paralegal (May 17, 2012) (hereafter, Villalobos Interview).
[87] Case Study, Superior Court of California, County of Alameda, Interview with Robert Quinlan (June 5, 2012) (hereafter, Quinlan Interview).
[88] Case Study, Superior Court of California, County of Alameda, Interview with Candace Goldman, Program Manager (Family Law Facilitator and Self-Help Center) (June 11, 2012) (hereafter, Goldman Interview).

The Superior Court of California, County of Fresno has improved LEP court users' experiences at its courthouses by implementing one-stop-shop models. Fresno centralized numerous services, thereby eliminating additional steps for court users, through the Self-Help Law Center/Office of the Family Law Facilitator and the After Criminal Traffic Infraction One-stop Network Center (ACTION Center).

Figure 2-3: Fresno's ACTION Center

The ACTION Center, shown in Figure 2-3, was established after court personnel noticed that court users, especially LEP court users, were not complying with court orders because they were confused about what the proceedings meant and what they were supposed to do after leaving court.[89] The ACTION Center offers defendants immediate, centralized information, services, and referrals needed to comply with court orders. Court users can learn what steps they must take, who they should call, what they should sign up for, where payments can be made and more. Fresno created a poster board in English and Spanish which also includes pictures to help its court users better understand the ACTION Center's purpose and the steps to take after receiving an order (see Appendix I to view the ACTION Center's poster).

Located in a recently renovated courthouse, where several other public service agencies are also provided space, Fresno's Self-Help Law Center and Office of the Family Law Facilitator are in a prime location to serve LEP court users attracted to the location by all of the available services. When the new courthouse was being planned, it was an administrative priority to set up the Self-Help Law Center and the Family Law Facilitator's Office there as a one-stop shop similar to the ACTION Center that provides other court services such as mediation and a children's waiting room and surrounded by other service agencies. This was due to Fresno's awareness that the Self-Help Law Center and the Family Law Facilitator's Office are two of its most frequent points of public contact.[90]

4. Increasing access to court services and programs by using bilingual volunteers and partnering with community organizations.

Bilingual volunteers and partnerships with community organizations provide an effective way to increase LEP court users' access to court services and programs with minimal financial demand

[89] Several Fresno interviewees remarked that the ACTION Center was one of Fresno's most effective language access practices. For more information about the Action Center go to www.courts.ca.gov/2269.htm.

[90] Case Study, Superior Court of California, County of Fresno, Interview with Josette Merced Bello, Grants Manager (April 17, 2012) (hereafter, Bello Interview).

on the courts. Typical places for volunteers to be placed are information booths and in self-help law centers, where bilingual volunteers provide an important first point of public contact.

At least 31 superior courts reported using non-courtroom volunteers at various points of public contact and 20 courts report that they have volunteers or interns at their Self-Help Law Centers who can assist LEP court users. The Superior Court of California, County of Ventura's Self-Help Legal Access Center, for example, is staffed with volunteers who speak Spanish, Tagalog, Farsi, Arabic, Hindi, Japanese, Vietnamese, Cantonese, and Korean.[91]

Volunteers may be recruited and trained through court managed programs like the Court Information Volunteer Program at the Superior Court of California, County of Alameda, or through external programs, like JusticeCorps. While language skills are not necessarily required to participate in either program, many of Alameda's volunteers have turned out to be bilingual.[92] The same is true of volunteers who have come to Alameda through a law school internship program, a program that the Superior Courts of California, County of Fresno and County of Orange are also trying to implement.[93]

Courts in close proximity to other governmental agencies, legal aid organizations or social justice organizations can benefit by sharing bilingual personnel. The Superior Court of California, County of Fresno, for example, reported the shared use of available bilingual personnel from outside resources like the Better Business Bureau (for Spanish and Hmong), Central California Legal Services, and the Marjaree Mason Center (for Spanish).[94]

Volunteers Make an Impact

Recently, the Superior Court of California, County of Alameda noticed a "spike in visits" to the Oakland Self-Help and Family Law Facilitator Center by Farsi-speaking court users. The spike occurred after word spread that a staff member spoke Farsi. Because one of the JusticeCorps volunteers spoke Farsi, the Center was able to help several court users from this LEP community that would not have sought help otherwise. Before this situation, the Center was not aware that Farsi was a needed language.

D. Translated Court Forms and Other Documents

Access to translated court forms and other documents is critical for LEP court users to have meaningful access to the court. Translating materials like pamphlets or instructions can insure that LEP court users are aware of court services, programs, proceedings, and resources. According to ABA Standard 7, "courts should establish a process for providing access to translated written information to persons with limited English proficiency to ensure meaningful

[91] Ventura's LEP Plan.
[92] Quinlan Interview.
[93] Case Study, Superior Court of California, County of Fresno, Interview with Karla Gran, Operations Director, Self-Help Center and Family Law Facilitator (May 22, 2012) (hereafter, Gran Interview) and Orange's response to question 10.
[94] Bello Interview and LEP Plan.

access to all court services."[95] The *ABA Standards* define "translation" as "converting a written text from one language into written text in another language."[96]

The *DOJ LEP Guidance* provides clearer guidance on written translation services, by providing "safe harbor" measures. According to the *Guidance*, an agency will have strong evidence of its compliance with translation requirements if the agency:

1) provides written translations of vital documents for each eligible LEP language group that constitutes five percent or 1,000, whichever is less, of the population of persons eligible to be served or likely to be affected or encountered. Translation of other documents, if needed can be provided orally; or

2) if there are fewer than 50 persons in a language group that reaches the five percent trigger in (a), the recipient does not translate vital written materials but provides written notice in the primary language of the LEP language group of the right to receive competent oral interpretation of those written materials, free of cost. [97]

Competent translation is critical, so the DOJ *Guidance* prefers the use of professional translators, especially for important or sensitive documents.[98] California's Judicial Council has adopted a protocol for documents that it has translated which requires translators either to have a court or legal specialization and to be accredited by the American Translation Association or to be qualified to provide the translations based on experience, education, and references. Under the protocol, certified or registered interpreters with a background in translating documents review all translations for clarity and accuracy.[99]

A review of the superior courts' LEP Plans, along with the interviews, site visits and survey, identified many specific effective practices in connection with translations of court forms and other documents.

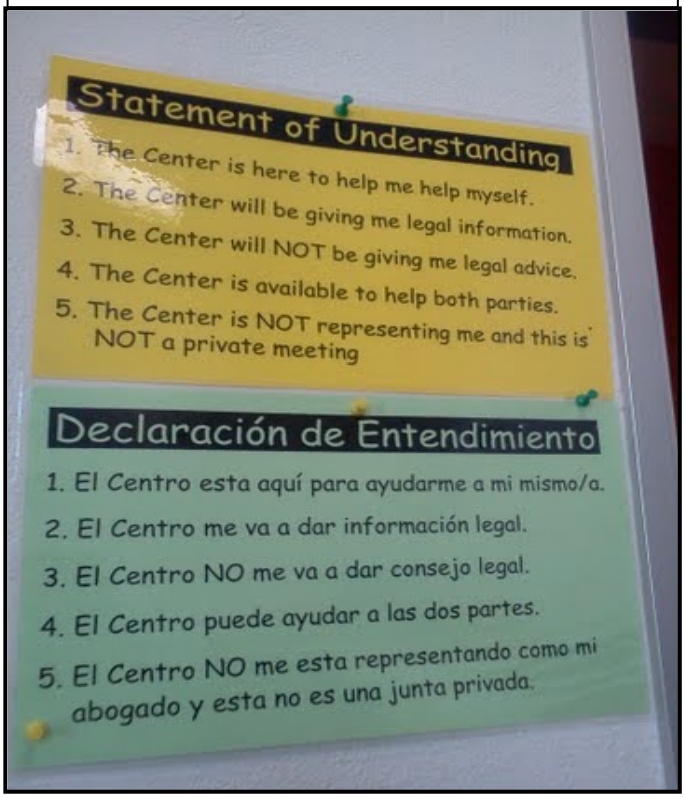
1. Translating information about court programs and services to increase meaningful access for LEP court users and decrease costs for the court.

According to the *ABA Standards*, "courts should consider providing a variety of information brochures, pattern forms and other printed material describing court programs and services in a variety of languages."[100] Courts in 26 counties indicated they provide multilingual brochures describing a variety of court services including: self-help law centers, domestic violence services, criminal court, defendant rights, marriage dissolution, alternative dispute resolution options, child support services, DUI programs, traffic court, and the family law facilitator.[101]

[95] ABA Standards at 67.
[96] *Id*.
[97] DOJ LEP Guidance at 41464.
[98] *Id*.
[99] Judicial Council Meeting Minutes, Item 2 (April 27, 2001), available at www.courts.ca.gov/documents/min0401.pdf.
[100] ABA Standards at 37.
[101] LEP Plans for Colusa, San Joaquin, Shasta, Stanislaus, Tulare, and Yolo.

These translations come from various sources including translations distributed by the AOC, translations collected by the AOC that are produced by other courts, and individual documents translated by individual courts for their own use.[102] The ABA Standards also indicate that translating printed material saves staff time by eliminating the need to have bilingual staff or interpreters explain basic information. Interviewees from the Superior Court of California, County of Imperial, for example, explained that in 2008 they translated all of their documents into Spanish, the court's dominant language because it would be easier to have the court users fill out the documents in their own language and then translate them into English rather than vice versa.[103]

Figure 2-4: Translated Self-Help Document



When court users are able to fill out their own documents it reduces the time that court staff must spend with each court user either to translate the document or to explain it. Another benefit derived from translations is that the court user can gain understanding about a proceeding or a program immediately by directly reading the information rather than relying on someone else – usually court staff – for basic information (see Figure 2-4). Translating all documents into Spanish was part of Imperial's push to increase access to justice for its large Spanish-speaking population.[104]

The Superior Court of California, County of Alameda's inventory of translated documents covers various proceeding types and courtroom services, such as ADR civil mediation; civil proceedings; criminal proceedings; traffic proceedings; family law proceedings; and self-help services. While Alameda is in the process of deploying all of these documents throughout the courthouses, some types of translated documents are already available in some areas of the courthouse including the self-help law centers, information kiosks, and on Alameda's website.[105]

Specifically, the Self-Help and Family Law Facilitator Center provide brochures, flyers, and other leaflets addressing a variety of issues mostly in Spanish and in a few other languages. Field

[102] California Judicial Branch, Equal Access Project, LEP Resources List, available at www.courts.ca.gov/partners/53.htm.
[103] Villalobos Interview.
[104] *Id*.
[105] Spanish translations are available at www.alameda.courts.ca.gov/pages.aspx/information-in-spanish and the Spanish self-help website is available at www.courts.ca.gov/13289.htm or www.sucorte.ca.gov.

offices like the Family and Children's Bureau provides a 50-page translation regarding child support.[106] These documents are all easily accessible in the lobbies of the self-help centers, information kiosks, and other places throughout the court. Alameda interviewees said that translating documents and court forms is critical to the successful operation of field offices and self-help law centers. LEP court users can pick and choose the written material they want to learn about and can easily review it on their own.[107]

Spanish is California's most commonly spoken foreign language and the language most frequently requested in the courts – 80 % of interpretation statewide is rendered in Spanish.

Thus, most written material in California courts is translated into Spanish.

2. Tracking how often documents are used helps determine which documents are vital and establishes priorities for their translation.

The *DOJ LEP Guidance* states that "whether or not a document (or the information it solicits) is 'vital' may depend upon the importance of the program, information, encounter, or service involved, and the consequence to the LEP person if the information in question is not provided accurately or in a timely manner."[108] Having a system to prioritize vital documents can ensure that a court is providing meaningful access to LEP court users.

In 2007, the Superior Court of California, County of Alameda engaged in a major translation initiative, translating 196 documents, pamphlets, and other forms. Unable to translate all of its documents due to financial and time constraints, Alameda charged individual court sites with determining the criticality of the documents to be translated. The courthouses were asked to submit their most commonly used documents and to rank each document from one to four (see Appendix G to review Alameda's ranking system). A rank of one required top priority for translation; two signified moderate priority; three signified low priority; and four signified that the document was not recommended for translation. Documents that scored a four tended to fall outside of the scope of the translation contract because those documents were either web-based files, documents for a non-court program, or court-approved documents that could not be altered. This system enabled Alameda to translate the most vital information for its LEP court users in an efficient manner.[109]

[106] Quinlan Interview.
[107] Case Study, Superior Court of California, County of Alameda, Site Visit at Rene C. Davidson Courthouse (June 11, 2012) (hereafter, Alameda Site Visit).
[108] DOJ LEP Guidance at 41463.
[109] Quinlan Interview.

3. Using data regarding community needs to determine the languages for translations of vital documents.

Besides identifying which documents to translate, it is important for courts to determine the languages for the translations. According to the ABA, "because of the importance of information in written documents, courts should provide information in as many languages as possible based on data on community needs."[110] However, as the *DOJ LEP Guidance* explains, courts should translate vital documents into "frequently-encountered languages and . . . set benchmarks for continued translations into the remaining languages over time."[111]

As previously stated, most written material in California courts is translated into Spanish because it is the state's most commonly spoken foreign language and the language most frequently requested in the courts[112] Because Spanish the most frequently requested language, most Judicial Council forms commonly used by self-represented litigants are translated into Spanish and then into other languages as is possible.[113] Other languages represented include Arabic, Cantonese, Hmong, Korean, and Vietnamese, among others depending on the particular court's and community's needs.[114]

The Superior Court of California, County of Alameda used a creative method to determine its community's need for language. By tracking interpretations provided by independent contractors during 2007, Alameda determined that Spanish was the most requested language followed by Mandarin, Cantonese, and then Vietnamese. The tracking was done by maintaining an excel spreadsheet that listed all of the times that interpreters were hired to provide services and the language requested. Thus, translating documents into Spanish became the immediate priority for Alameda.

Unable to translate all of its documents into Spanish or into the other languages, as described above Alameda charged individual court sites with determining the criticality of the documents to be translated. Since 2007 Alameda has translated more documents into Chinese and Vietnamese. Alameda aims to continue translating documents into more languages as funds become available.[115]

Superior courts that have dominant LEP language groups may focus solely on the language most requested at their court. The Superior Court of California, County of Imperial, as mentioned earlier, translated all of its documents into Spanish, which is the dominant language

[110] ABA Standards at 72.
[111] DOJ LEP Guidance at 41463.
[112] 2010 Language Need Report, Table 2.1 at 20.
[113] AOC, Interview with Bonnie Rose Hough, Managing Attorney, Center for Families, Children & the Courts, Judicial and Court Operations Services Division (Oct. 31, 2012) (hereafter, Hough Interview). For forms, see www.courts.ca.gov/forms.htm and www.courts.ca.gov/partners/53.htm#transforms.
[114] LEP Plans.
[115] Quinlan Interview. Specifically, Spanish accounted for 25% of all interpretations followed by Mandarin/Cantonese at 18%, while Vietnamese accounted for 7%, Russian accounted for 3% and the rest were "other" languages.

spoken in Imperial County. Over 72 percent of the population speaks Spanish, and Spanish is almost the only language requested at the court. [116]

4. Applying a phased approach to translations to ensure meaningful access for LEP court users in the long term.

According to the *ABA Standards*, "a comprehensive approach to determining which documents to translate incorporates an assessment of written materials to identify 'vital' documents, the use of demographic data to determine the languages into which materials will be translated, and the creation of a plan to phase-in additional documents and languages over time."[117] Although providing translations can be very cost-effective in the long term, it can be expensive to produce this material in the first place, which creates the need to establish a system for prioritizing documents that should be translated such that vital information is provided to LEP court users in a timely manner. Any plan also needs to recognize that many court documents must be revised and translations updated at that time.

Phased approaches that incorporate a plan to translate documents into more languages as funds become available can be very helpful. The Superior Court of California, County of Alameda applied a comprehensive approach that allowed it to incrementally provide translations to its LEP court users. Alameda decided to translate only the documents containing the most vital information into its most commonly requested languages and then planned to provide more translations into the other languages as funds became available. This is an effective practice because as the ABA explains "courts have historically been underfunded and sometimes face severe budget shortfalls that require cutbacks . . . [and] courts may need to adopt phased implementation plans, for example, giving initial priority to language access services for low and moderate income persons and unrepresented litigants."[118]

5. Reviewing translations for accuracy to ensure LEP court users obtain relevant and correct information.

According to the *DOJ LEP Guidance*, competence of translations is critical for assessing compliance, so professional translators should be used, especially for important or sensitive documents.[119] The Judicial Council has all translations reviewed by a certified court interpreter to ensure cultural and language accuracy. A bilingual attorney also reviews all Spanish content on the self-help website and on forms translated into Spanish to ensure legal accuracy.[120]

The Superior Court of California, County of Alameda, for example, hires a language access consultant trained to do translations to handle most of its translations. The consultant takes complex information that is disseminated to the public and puts it into plain, easy-to-read

[116] Case Study, Superior Court of California, County of Imperial, Interview with Rheeah Yoo, Manager of the Access Center and Family Law Facilitator Office (April 4, 2012) (hereafter, Yoo Interview).
[117] ABA Standards at 68.
[118] *Id.* at 3.
[119] *Id.*
[120] Hough Interview.

language. Alameda, however, reviews the plain language prior to publication to ensure that no critical legal jargon or procedural instructions were removed.[121]

6. Sharing translations to increase information provided to LEP court users.

Almost all of the superior courts – 55 of the 58 – reported in their LEP plans that they share translated documents with other courts, an efficient way to serve more LEP court users, especially those that speak languages of lesser diffusion. Superior courts located in rural or less populated counties often share translated documents with each other, as do superior courts from larger counties. The Superior Court of California, County of Los Angeles, for example, shares documents translated into at least ten different languages.[122] In 2008, the Superior Court, County of Imperial translated all of its documents into Spanish and shared them with the AOC.[123] The AOC provides all translations it has rendered and those rendered by individual courts on its public website. It also provides information in Spanish to LEP court users through its self-help website (see Figure 2-5).[124]

Figure 2-5: AOC's Self-Help Page in Spanish

E. Notifying LEP court users about the services available to them.

The *ABA Standards* provide that "knowledge about the availability of language access services is crucial to the ability of LEP persons to exercise their right to request services and promotes the

[121] Quinlan Interview.
[122] LEP Plans.
[123] Villalobos Interview.
[124] To access forms translated into a variety of languages go to www.courts.ca.gov/forms.htm and click on the drop down menu to search for "Translated Forms." Language options include Chinese, Korean, Spanish, Vietnamese, and other. *See also* www.courts.ca.gov/partners/53.htm. To access the self-help website go to www.sucorte.ca.gov.

Figure 2-6: Alameda Multilingual Sign

efficient functioning of the court."[125] Additionally, "courts should provide this notice in a language that all persons understand, taking into account the appropriate method to provide the information."[126] The *DOJ LEP Guidance* explains, "Once an agency has decided, based on the four factors, that it will provide language services, it is important for the recipient to let LEP persons know that those services are available and that they are free of charge."[127]

A review of the courts' LEP Plans, along with the interviews, site visits and survey, identified many effective practices used to notify LEP court users about the language services available to them.

1. Posting multilingual signage to improve court users' experience at the courthouse.

Multilingual signage directing LEP court users to courtrooms, programs, and services is an effective way to provide meaningful access. The ABA recognizes multilingual signage as the most basic way to tell LEP court users about court services.[128] The *DOJ LEP Guidance* includes posting signs in intake areas and other entry points as a best practice for providing notice to LEP persons.[129] Multilingual signs can help guide LEP court users within a courthouse, decreasing the need to have bilingual speakers at multiple points of public contact.

In either their LEP Plans or survey responses, 26 superior courts indicate they have multilingual signage. All of these courts have signs in Spanish and many have signs in other languages concentrated in the area they serve. The Superior Court of California, County of Los Angeles, for example -- where Korean and Armenian court users are concentrated -- has signs in those languages. Similarly, Vietnamese speaking court users are concentrated in Region 4, and the Superior Courts of California, Counties of Orange and San Diego (the most populous counties in that region) have signs in Vietnamese.[130]

Since 2007, the Superior Court of California, County of Alameda has posted closure signs in eight languages at all of its courthouses for every holiday season.[131] Since 2009, the AOC has provided this signage to all superior courts.[132] Alameda is also working toward improving the

[125] ABA Standards at 22.
[126] *Id*.
[127] DOJ LEP Guidance at 41465.
[128] *See* ABA Standards at 54.
[129] DOJ LEP Guidance at 41465.
[130] LEP Plans and survey responses.
[131] Quinlan Interview.
[132] Hough Interview.

signage that directs users where to go and instructs court users about court services and requirements. Recently, Alameda placed 200 signs – produced in English, Spanish, and Simplified Chinese – throughout the Hayward Hall of Justice.[133] The signs are large, easy to locate, and easy to read (see Figure 2-6).[134] Alameda has also diligently promoted the AOC's Spanish self-help website by posting these posters in their self-help centers (see Figure 2-7).

Figure 2-7: Spanish Posters Announcing AOC's Self-Help Website

2. Increasing and improving multilingual signage incrementally.

Multilingual signage can prove to be expensive, especially in a multiple court setting. Implementing signage incrementally, however, can make it feasible. The Superior Court of California, County of Alameda has been able to make a major financial investment in signage despite budgetary constraints by taking an incremental approach. Alameda began by partnering with the AOC to survey and asses Alameda's multilingual signage. Based on the survey, Alameda developed a "Signage Way-Finding Plan." This plan made placing signs at the courthouse which was frequently visited by LEP court users and which also needed the most updating the first priority. As funds become available, a plan of this type can be used to improve signage at additional courthouses.[135]

[133] Quinlan Interview. The signage is modeled on the Superior Court of California, County of San Francisco's new signage at its main courthouse.
[134] Alameda Site Visit.
[135] Quinlan Interview.

3. Providing information on court websites in multiple languages directly or through an online translation program to increase LEP court users' awareness of court services.

LEP court users can more easily learn about resources a court offers when the court posts information in multiple languages or provides a translation program on its website. According to the *ABA Standards*, notification of free language services and other language access policies should be clearly communicated at all points of public contact including a court's website.[136]

Many superior courts are working toward providing translations of their websites or providing language conversion websites such as Google Translate on their websites to increase access to LEP court users. About 26 superior courts indicated that they provide translated information on their websites. Of these courts, all of them indicated they have information in Spanish and some indicated they also provide information in other languages such as Vietnamese, Chinese, and Russian.[137] The AOC website translates all 4,000 pages of its self-help website into Spanish. Much of the information the AOC translates relates to issues regarding domestic violence, child support, juvenile dependency, and family law.[138]

Ways to Provide Translated Information On Court Websites

- List translated information under the department for which it has information such as family law
- Provide a translation website such as Google Translate Software that allows LEP court users to convert information
- Translate most of or the entire website into multiple languages and provide a link to the translated content

Superior courts providing translated information on their websites provide the information in a variety of ways. Some courts, like the Superior Court of California, County of Alameda, list the translated information under the department for which it has information such as family law while others like the Superior Courts of California, Counties of Placer and Riverside, provide a translation website for the LEP court user. In fact, Riverside has reported the use of Google Translate Software for website language conversion in up to 59 languages.[139]

Still other Superior Courts of California, like those of the Counties of Los Angeles and Fresno, provide the translated information through links on their respective home pages of their

[136] ABA Standards at 24.
[137] LEP Plans and Survey Responses.
[138] Hough Interview.
[139] Riverside's response to question 9.

websites that are immediately visible to LEP web users (see Figure 2-8 for an example of Fresno's webpages in Spanish).[140] Fresno took significant steps to ensure its Spanish-speaking LEP court users could easily access and fully comprehend its Spanish information. Fresno hired a professional translator to produce a translation that was tailored for various Spanish-speaking court users rather than merely rendering a verbatim translation.[141]

Figure 2-8: Example of Fresno's Spanish Webpages

4. Using electronic media to educate LEP court users about court proceedings and services.

Innovations in technology can provide ways to inform LEP court users about court proceedings and services. According to the *ABA Standards*, "technology can play a role in ensuring equal access to the information provided by courts and in court programs."[142] The ABA adds that audio or video recordings can be particularly effective in disseminating information to

[140] To view Los Angeles' website go to www.lasuperiorcourt.org/ and to view Fresno's website go to www.fresno.courts.ca.gov/.
[141] View Fresno County's Spanish website at www.fresno.courts.ca.gov/general_info/?lang=sp.
[142] ABA Standards at 58.

individuals and communities with low literacy rates; these can often be immigrant communities.[143]

Of the responding courts, nine reported using electronic media like in-language DVDs to disseminate information. Several courts reported providing DVDs in Spanish to orient their LEP Spanish-speaking court users about family law. The Superior Court of California, County of Contra Costa, for example, provides online video-taped information in Spanish about family law issues to eliminate the need for Spanish-speaking LEP court users to travel to the court for preliminary information. The Superior Courts of California, Counties of San Diego and Madera use DVDs in Spanish to provide defendants and juveniles information about pleas and their basic rights.[144]

F. Public Outreach and Education

Public outreach and education can help a court disseminate important information about its services to LEP court users. According to the *ABA Standards*, while courts have no obligation to provide training or education to the general public on the availability of language access services, the court is often the most appropriate provider of this information due to its "expertise, authority, and control over language access services in the courts."[145] The Consortium for Language Access in the Courts' *Ten Key Components to a Successful Language Access Program in the Courts* (hereafter, *Key Language Components*) emphasizes the need to "[e]ducate persons with limited English proficiency about the availability, role, and use of language service providers in the courts."[146]

A review of the courts' LEP Plans, along with the interviews, site visits and survey, identified many specific effective practices in connection with public outreach and education efforts.

1. Conducting in-language workshops to educate LEP court users efficiently about court services and the court system.

Workshops are an efficient means for courts to educate a large group of LEP court users about a variety of aspects including services provided by the court, US laws, and how to navigate the court system.[147] Of the 58 superior courts, 24 indicated, through LEP Plans or survey responses, that they conduct workshops for LEP court users. Of those 24 courts, 11 reported conducting workshops for LEP court users at their self-help centers (see Table 2-1).

[143] *Id.* at 55.
[144] Responses to survey questions 5 & 9.
[145] ABA Standards at 103.
[146] NCSC, *10 Key Components to a Successful Language Access Program in the Courts*, available at www.ncsconline.org/D_Research/CourtInterp/10KeystoSuccessfulLangAccessProgFINAL.pdf (hereafter, Key Language Components) (website last visited, Nov. 25, 2012).
[147] San Joaquin's response to question 5 specifically stated that it provides an orientation for their mediation services. Ventura's response to question 5 explained that it conducts workshops in Mixteco to assist the Mixteco-speaking court users in understanding the US court system and its laws.

As Table 2-1 shows, all 11 courts conduct workshops in Spanish, while a few reported conducting workshops in other languages. Where other languages are highly concentrated, courts tend to offer services in additional languages. Thus, the Superior Court of California, County of Los Angeles also conducts workshops in Korean; the Superior Court of California, County of Orange conducts workshops in Vietnamese, and the Superior Court of California, County of Ventura conducts workshops in Mixteco.

Table 2-1: Workshops in Languages Other than English

Superior Court	Language(s)
Alameda	Spanish
Butte	Spanish
Imperial	Spanish
Kern	Spanish
Los Angeles	Spanish & Korean
Monterey	Spanish
Orange	Spanish & Vietnamese
Riverside	Spanish
San Joaquin	Spanish
Santa Clara	Spanish
Ventura	Spanish & Mixteco

Conducting in-language workshops, rather than using an interpreter, speeds up the process for all parties because the court user receives critical information directly. The workshop format also saves resources because the court users are taught in groups rather than requiring staff to help them one-on-one at the court or other locations like self-help law centers.

The Superior Court of California, County of Alameda, for example, conducts bi-weekly workshops in Spanish at their Self-Help and Family Law Facilitator Centers to save time and money. The workshops help LEP court users assist themselves, requiring less one-on-one attention from staff. Alameda's policy is to have LEP court users fill out their own forms so they can experience the achievement of completing a court-related form and consequently feel less intimidated by the court system. At the Spanish workshops, staff present court users with the same forms in Spanish and in English to give workshop participants the confidence that what they are filling out is exactly the same in English as it is in Spanish. Ventura has gone further by relying on local DMV staff to provide workshops in Spanish at the Mexican Consulate on driving laws in the US.[148]

2. Securing grants to increase outreach efforts to LEP court users.

Grants can help a court fund extensive public education and outreach programs for LEP court users, especially during difficult financial times. According to the *ABA Standards*, "courts have historically been underfunded and sometimes face severe budget shortfalls that require

[148] Ventura's response to question 10.

cutbacks in other services that are similarly essential to access to justice and the effective functioning of courts."[149] The *DOJ LEP Guidance* also emphasizes the need for agencies to "carefully explore the most cost-effective means of delivering competent and accurate language services before limiting services due to resource concerns."[150] Thus, grants are especially important for ensuring language access for LEP court users when a court is forced to make difficult budgetary decisions.

The Superior Court of California, County of Alameda has been able to conduct much outreach to its LEP public with the help of grants. Alameda has used grants to publish resource guides in Spanish, conduct community outreach to Vietnamese-American social service organizations, publicize self-help services in Chinese-speaking communities, and publicize available services on local Spanish-language radio programs. Due to limited funding, Alameda has focused its outreach efforts on the three most frequently requested languages, but mostly Spanish. In 2008, for example, Alameda applied its AOC Community Focused Court Planning grant to publish the self-help centers' office hours in the local Spanish-language paper.[151]

3. Communicating with community-based organizations and other stakeholders to disseminate information about court services to LEP court users.

Communication is a critical component of a successful language access program. The NCSC has identified communication as one of the ten key components to a successful language access program in the courts, and noted the importance of maintaining effective ongoing communication with stakeholders regarding the nature and performance of the language access program.[152] According to the *ABA Standards*, "Outreach to traditionally underserved communities should be designed to increase awareness of court programs and help to eliminate perceived language barriers to access to courts."[153] The *DOJ LEP Guidance* suggests agencies consider working with community-based organizations and other stakeholders to inform LEP individuals about services and specifically the availability of language assistance services.[154]

Community-based organizations vary in size, interest, and location which means courts can have a plethora of options to connect with organizations. The Superior Court of California, County of Solano maintains partnerships with various schools, social service providers, and law associations to assist in public outreach to its LEP court users. Working with organizations with special interests can also help courts reach isolated communities. Because the Superior Court of California, County of Fresno has isolated pockets of significant populations that speak lesser diffused languages, Fresno has often overcome the challenge of providing these LEP populations with adequate language services by collaborating with community organizations

[149] ABA Standards at 3.
[150] DOJ LEP Guidance at 41460.
[151] Quinlan Interview.
[152] Ten Key Components, Standard 8 at 1.
[153] ABA Standards at 24.
[154] DOJ LEP Guidance at 41465.

and governmental agencies. Fresno, for example, has reached the Hmong population living within its County's borders by working with the non-profits and community leaders that had existing connections with Southeast Asian communities.[155]

As the Superior Court of California, County of Alameda has shown, judges can be instrumental stakeholders who educate the public about the court's language access initiatives. Judges can convene meetings at the courthouse to bring attention to the court's programs. These meetings allow community leaders to find out what programs and services the court is offering and relay the information to their constituents. This is especially helpful when the court has limited funding to publicize programs and services. To stay current on issues impacting the community, the court can solicit input and feedback from the community leaders at these meetings.[156]

Effective Outreach Through the Consulate

Because so many LEP court users in California originate from Mexico, several superior courts have established strong partnerships or are planning to partner with Mexican Consulates near or within their counties' borders.

Partnering with the Consulate enables:

- sharing of information to help train and teach each other about a variety of common issues that are often inter-jurisdictional;
- sharing of resources such as the Consulates' bilingual and culturally competent staff and the courts' legal expertise; and
- coordinating of services, workshops and other programs.

4. Establishing partnerships with political leaders and government agencies in the community to gather feedback to improve court services for LEP court users.

Establishing partnerships with political leaders and government agencies in the community can enable the court to gather better feedback about the LEP court users' needs and in turn improve language access services. Before running for city council, Fresno County's first Hmong city councilman met with the Superior Court of California, County of Fresno to discuss how to reach the Hmong community. With that motivation, some of Fresno's judges appeared on Hmong radio stations to discuss general aspects of court proceedings including what to expect in court and basic information on legal rights. Hearing from judges helped the Hmong community realize that the court was accessible and feel more comfortable going to court and using court services.[157]

[155] Bello Interview.
[156] Quinlan Interview.
[157] Bello Interview.

The Superior Court of California, County of Imperial has improved its services by establishing a relationship with the Mexican Consulate. Their partnership enables the easy sharing of information to help train and teach each other about a variety of inter-jurisdictional issues.[158] Imperial is not the only superior court working with the Mexican Consulate. Because so many LEP court users originate from Mexico, several superior courts are considering establishing partnerships and improving existing partnerships with the Mexican Consulates near or within their counties' borders.

The Superior Court of California, County of Ventura often partners with the Mexican Consulate to put on workshops in Spanish and in Mixteco.[159] Fresno is currently working toward establishing a stronger relationship with the Mexican Consulate located in Fresno County. Through this partnership, the Court and Consulate are determining how they can coordinate their respective services especially to reach LEP court users living in rural areas given that 95 percent of residents living outside of the metropolitan areas (Clovis and Fresno) are predominantly or exclusively Spanish-speaking. Working with the Consulate has helped Fresno reach these LEP populations by using the Consulate's promoters who speak Spanish and inform people about what the agencies do and the services they provide. The promoters also ask what specific issues potential court users would like addressed by the Court and Consulate.[160]

Creative Ways to Increase Court Resources

The Superior Court of California, County of San Joaquin worked with the public to increase court resources by conducting a Community Leadership & Liaison Academy for the purpose of training community representatives to serve as liaisons to the court and as information references for LEP court users.

5. Increasing opportunities for the public to receive bilingual training in order to increase resources for the court.

Increasing educational opportunities for bilingual training can increase resources for the court by expanding the hiring pool for interpreters and bilingual employees. Many of California's superior courts struggle to maintain enough interpreters at their courthouses to serve their LEP court users because interpreters -- Spanish-speaking interpreters in particular -- are in high demand throughout California. The courts compete with hospitals, administrative agencies, and other entities for a limited pool of qualified interpreters within their regions. Superior courts are often compelled to develop creative ways to increase the interpreter pool to ensure they can provide sufficient interpreting services to their LEP court users.

[158] Villalobos Interview.
[159] Ventura's response to question 5 explains that Ventura relies on the local DMV to provide workshops in Spanish at the Mexican Consulate on driving laws in the US; Ventura also works with the Consulate to conduct workshops in Mixteco.
[160] Bello Interview.

Some of the ways the superior courts are dealing with this issue is by establishing interpreter programs through local schools and by developing internship programs. The Superior Court of California, County of Alameda, for example, teamed up with representatives of the local community colleges to develop a program that would prepare Spanish-speaking students for court interpreting. The collaborative effort led to the development of a Spanish court interpreter program at a local college that has celebrated its first graduating class.[161]

Students who go through this program develop marketable skills, gain access to the courts as interns, and earn a certificate in court interpreting. The program also provides a model for further expansion of the program to include languages other than Spanish commonly requested by court users. An additional benefit of the program is that there is no cost to the court because the college handles the administration of the program.[162]

In 2005, the Superior Court of California, County of Imperial's Chief Executive Officer and the Family Law Facilitator sought to improve legal services for Imperial's Hispanic community because so many Hispanics live in that county. Imperial's initiative started with an invitation for a few Mexican law students to intern at the courthouse. The interns' duties consisted of conducting workshops and explaining materials to LEP court users concerning child custody and child support. The aim was for the interns to help self-represented Spanish-speaking court users by enabling them to use their native language to navigate the court system and to understand the legal process. Although recent complications have halted the program, Imperial hopes to continue it soon given its past success.[163]

6. Obtaining media allies to disseminate court messages more cost-effectively.

Outreach to LEP court users through the media is helpful for reaching a large pool of court users including those who live in rural areas and who may not have access to or who cannot afford an internet connection. The *DOJ LEP Guidance* includes media outreach such as in-language notices in local newspapers and in-language radio ads, as best practices to provide notice to LEP persons about the availability of an agency's language services.[164]

Publicizing in newspapers or on the radio is very expensive, but providers of in both media may be able to contribute resources, financial and otherwise, to a court's outreach efforts. Working with private sector entities who are trying to reach the same group of constituents can prove to be very cost-effective for a court.

For example, in Fresno County, guardianship cases overwhelmingly demand Spanish-speaking language services because one in five residents of Fresno County lives below the poverty line, many of whom are Spanish-speakers. With grant funding from the AOC, the Superior Court of California, County of Fresno reached this LEP group by explaining the guardianship services in a four-page guide inserted in 30,000 newspapers of the largest Spanish-based newspaper in the

[161] Quinlan Interview.
[162] To access Laney College's pamphlet describing the program go to www.laney.edu/wp/cte/files/2012/04/CTE_brochure.pdf.
[163] Villalobos Interview.
[164] DOJ LEP Guidance at 41465.

region purposely published on Cesar Chavez day.[165] Fresno's efforts were successful because besides partially sponsoring the costs, the newspaper helped format the content in a user-friendly way and conducted focus groups to find out from LEP individuals what they wanted to know about the court system and related services. Additionally, the newspaper ran a letter to the editor from the Presiding Judge that same day to let people know the insert was available and included instructions on how to find the information on Fresno's website.[166]

7. Establishing formal commitments to memorialize programs created through partnerships that help LEP court users.

A written commitment, such as a Memorandum of Understanding (MOU), can help courts formalize their partnerships with other entities and memorialize the programs that they intend to establish for the benefit of LEP court users. The *DOJ LEP Guidance* encourages agencies to consider formal arrangements with organizations to help ensure services are available more regularly.[167]

The Superior Court of California, County of Imperial, for example, has gained many benefits from entering into an MOU with the Mexican Consulate in Calexico to memorialize the programs through which family law related trainings would be provided to judicial officers and state political officers. A major aim of the MOU was to share information about how each country's laws and legal system differed and intersected. The MOU also designated particular agencies to register and enforce family law judgments in Baja and in Imperial to ease the administrative burdens on each agency.[168] Another benefit resulting from discussions between the US and Mexican entities, based on the MOU, has been gaining an understanding of how each country structures the names of Mexican court users. Due to the MOU, the Baja and Imperial courts shared information about name structures which has eased much confusion caused by the varying name structures in each country.[169]

[165] Cesar Chavez Day is widely recognized as an important date in the history of Mexicans living and working in the US.
[166] Bello Interview.
[167] DOJ LEP Guidance at 41462.
[168] Villalobos Interview. An area of common interest for both entities, for example, was how child custody was established in each country.
[169] *Id*. The differences including the legal basis for the structure of names -- In California, names are structured according to the Healthy and Safety Code while in Mexico the structure is based on the Civil Code -- along with an explanation of the differences were written out and now this explanation can be provided in the documentation of court users.

PART THREE: TRENDS AND ANALYSIS

The State Justice Institute grant funding this Report called for an analysis of trends in language access services across languages, across types of court proceeding, and across the state's four court interpreter bargaining regions. This Part uses data collected through an on-line survey to identify those trends.

As the Methodology section in Part One describes, the first stage of this study reviewed LEP Plans from all 58 superior courts. Based on that review, and on three site visits and discussions with the AOC, 11 language services were identified for further study:

1) Interpreter use in mandated proceedings
2) Interpreter use in non-mandated proceedings
3) Bilingual speakers on site
4) Bilingual services by telephone
5) Translated forms
6) Other translated materials (brochures, legal information)
7) Multilingual signage
8) Workshops in languages other than English
9) DVDs about court processes in languages other than English
10) Telephone menu with language options
11) Multilingual websites

An online survey assessing practices in these 11 areas was sent to all 58 superior courts. Twenty-six courts responded.[170] Courts from all four of the California's Court Interpreter Bargaining Regions were represented. Two of the four courts in Region 1 responded; ten of the 16 courts in Region 2; ten of the 32 courts in Region 3; and four of the six courts in Region 4.

A. Trends across languages

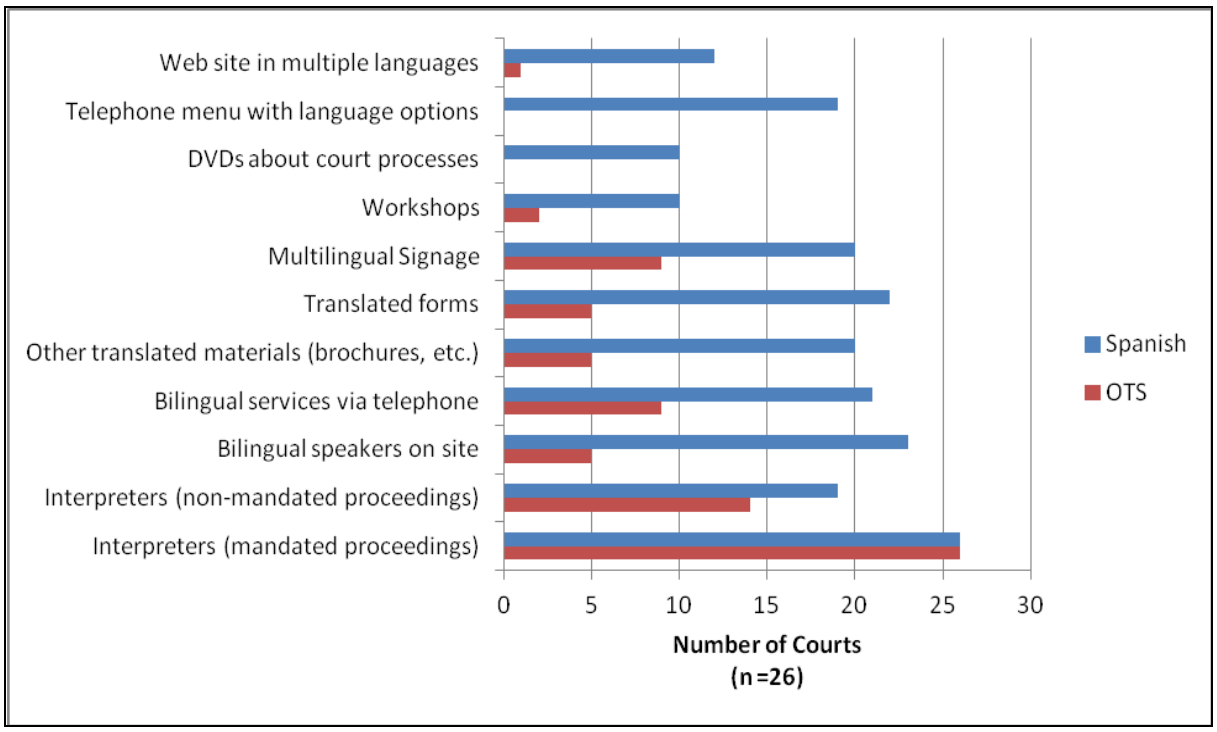
The starting point in analyzing trends in language access services is with the recognition that Spanish dominates the landscape. According to the *2010 Language Need Report*, Spanish accounts for 80.5 percent of the interpreter service days in California courts.[171] Among the other 16 top languages, Vietnamese accounts for three percent of the total interpreter days. The other 15 languages hover between one and two percent.[172]

[170] Courts from 28 counties returned surveys, but two courts' surveys provided no information beyond identifying the county and the respondent's position with the court.
[171] *2010 Language Need Report* at 20.
[172] *Id*.

The survey asked courts to identify the three languages for which they most frequently receive requests, and to identify the language services they provide for each language. As expected, Spanish is the most frequently requested language for all responding courts. Vietnamese was either the second or third most frequently requested language in 11 of the 26 responding courts. Sixteen other languages were named as frequently requested by at least one court.

Figure 3-1 shows which language access services the responding courts provide in Spanish and in languages other than Spanish (OTS). All courts report that they are able to provide language access services in mandated proceedings for Spanish and languages other than Spanish. For non-mandated proceedings, 70 percent of the responding courts (19 of 26) indicated they can provide Spanish-speaking interpreters in non-mandated proceedings as well. For languages other than Spanish, that figure drops to just over half (14 of 26 responding courts).

Figure 3-1: Language Services Provided for Spanish and Languages Other Than Spanish



There is more variability with regard to other language services. For Spanish speakers, nearly three quarters of the responding courts indicated that they had Spanish language telephone menus, signage, forms and other translated materials, and bilingual staff available on site and by telephone. While a significant number of the responding courts – almost half -- provided signage and telephone services (through a service like Language Line, for example) for languages other than Spanish, few or none provided workshops, DVDs about court processes, telephone menus or Web sites in any language other than Spanish. It is difficult to draw any conclusions from this data, however, without correlating the level of services provided with the demand for services, a question beyond the scope of the on-line survey.

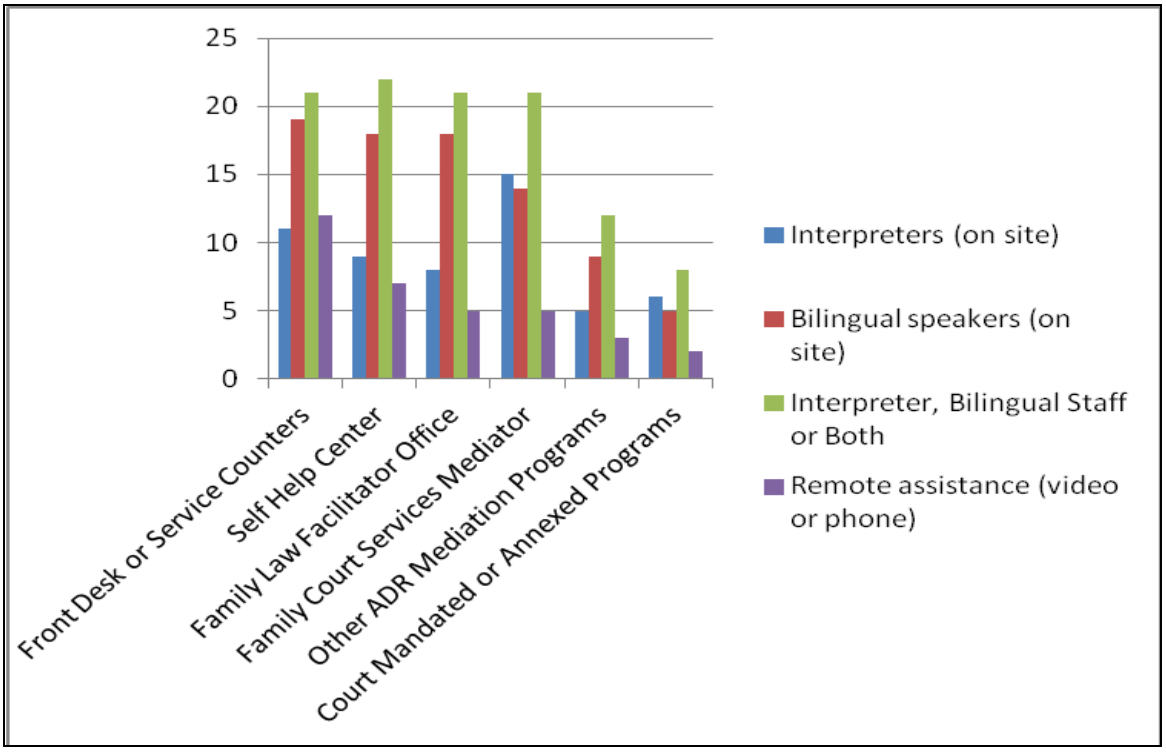
B. Trends across types of proceedings

The Survey also asked courts to describe language services provided for six different types of locations or programs: front desks or service counters, self-help centers, family law facilitator or mediator offices, other ADR programs and court-mandated or -annexed programs. As Figure 3-2 below shows, language services are provided by a significant number of courts (more than 20 of the 26 responding courts) in four areas:

1) Service counters or front desks;
2) Self-help centers;
3) Family law facilitator offices; and
4) Family court services mediators.

For most of these services, courts provide access primarily by using bilingual staff, although the use of interpreters is not uncommon. For family court services mediators, interestingly, the use of interpreters is more common than the use of bilingual staff. For other ADR programs or for court-annexed or court-mandated programs, less than half of the responding courts indicated language access services by way of interpreters or bilingual staff were available.

Figure 3-2: Language Access Services for Particular Location / Program



C. Trends Across Regions

By statute, as mentioned earlier, California's courts are divided into four Court Interpreter Collective Bargaining Regions.[173] The counties in each region are listed in Table 3–1. The *2010 Language Need Survey* reports the language need and interpreter use within each region, as well as statewide.[174]

Table 3-1: Court Interpreter Collective Bargaining Regions
(Courts participating in the on-line survey are highlighted)

Region 1	Region 2		Region 3		Region 4
Los Angeles	***Alameda***	Napa	Alpine	***Nevada***	Imperial
San Luis	Contra	***San Benito***	***Amador***	Placer	***Inyo***
Obispo	Costa	San Francisco	***Butte***	Plumas	***Orange***
Santa Barbara	***Del Norte***	San Mateo	Calaveras	Sacramento	**Riverside**
Ventura	Humboldt	***Santa Clara***	Colusa	***San Joaquin***	San Bernardino
	Lake	***Santa Cruz***	El Dorado	Shasta	***San Diego***
	Marin	***Solano***	Fresno	Sierra	
	Mendocino	***Sonoma***	Glenn	Siskiyou	
	Monterey		***Kern***	***Stanislaus***	
			Kings	Sutter	
			Lassen	Tehama	
			Madera	Trinity	
			Mariposa	***Tulare***	
			Merced	***Tuolumne***	
			Modoc	Yolo	
			Mono	Yuba	

Each region was represented in the survey responses, although not in the same proportions. The highest response rate came from Region 4, where four of the six superior courts responded to the survey. About 60 percent of the courts in Region 2 – ten of 16 courts – responded. Two of the four courts in Region 1 – the superior courts for Los Angeles County and Ventura County – responded. Region 3 had the lowest response rate. Only ten of Region 3's 32 counties responded to the survey.

Figure 3-3 shows the percentage of responding courts in each region providing each of the 11 language services the survey covered.

[173] *See* Cal. Gov. Code § 71807.

[174] Section 71807 does not assign Ventura County or Solano County to a region. The 2010 *Language Need Survey* treats Ventura County as part of Region 1 and Solano as part of Region 2. This Report follows the same practice.

Figure 3-3: Language Access Services by Region

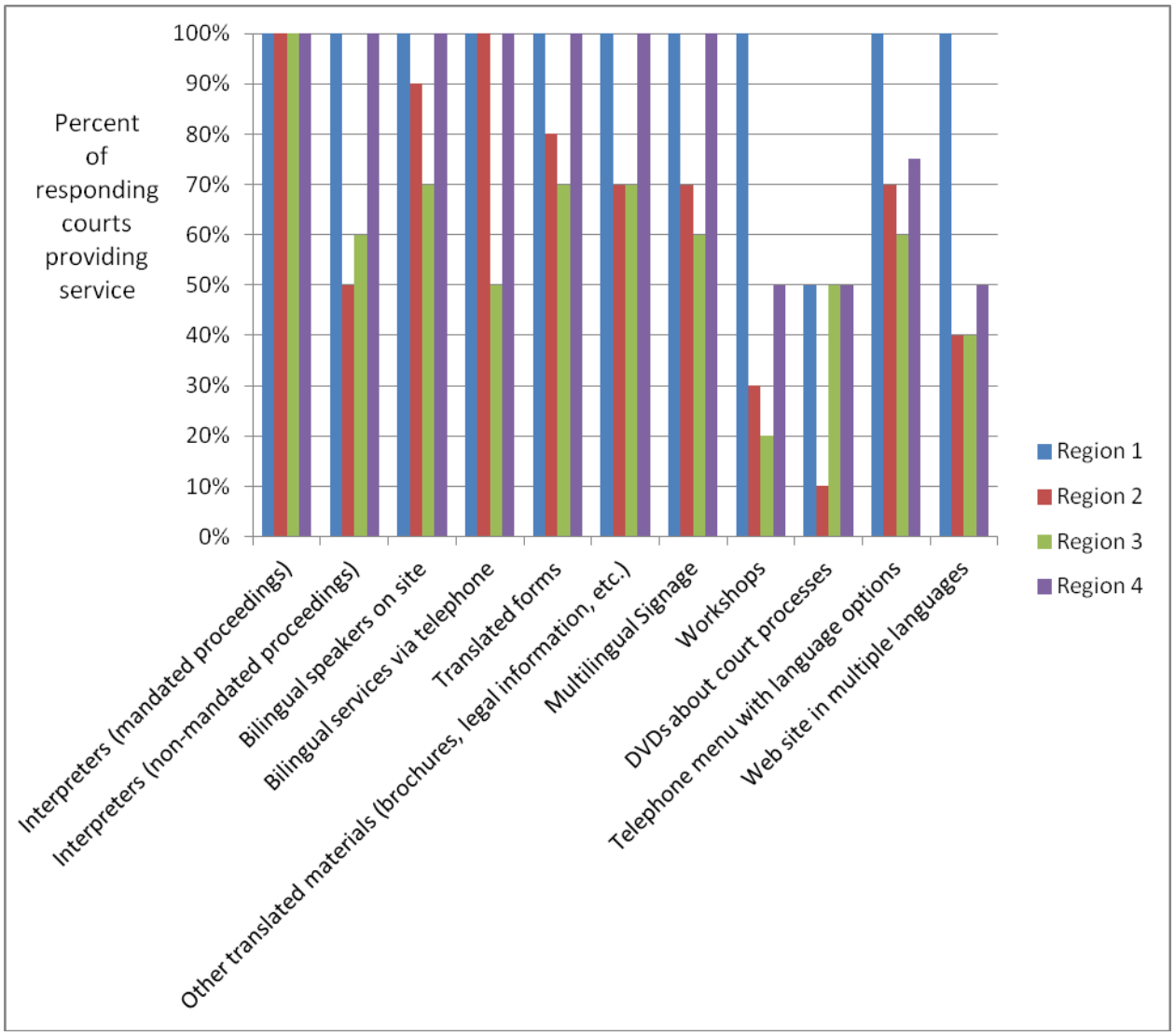


Figure 3-3 suggests that courts in Regions 1 and 4 provide the greatest range of language services, which is unsurprising since each region consists mostly of highly populated counties with relatively high demand for language access services.[175] Significantly fewer of the responding counties in Region 2 report providing services like workshops and DVDs, although this may simply be a function of lower demand, as explained below.

[175]In the two Region 1 counties responding to the survey, Los Angeles County and Ventura County, 27% and 16% of the county's population respectively is LEP. In Region 4, 3 of the 4 responding counties have LEP populations in excess of 15%. 2010 US Census, ACS Table B16001, "Language Spoken at Home by Ability to Speak English for the Populations 5 Years and Over" at http://factfinder2.census.gov/faces/nav/jsf/pages/index.xhtml. Statistics on LEP population in the remainder of this section are drawn from the same source.

Data provided by an AOC study of self-help centers provides additional information on trends across regions.[176] Of the 58 superior courts, 55 provided the AOC with detailed information about the use of bilingual staff, interpreters, volunteers and telephone interpreting services at self-help centers. Figure 3-4 shows the results.

Figure 3-4: Language Services at Self-Help Centers

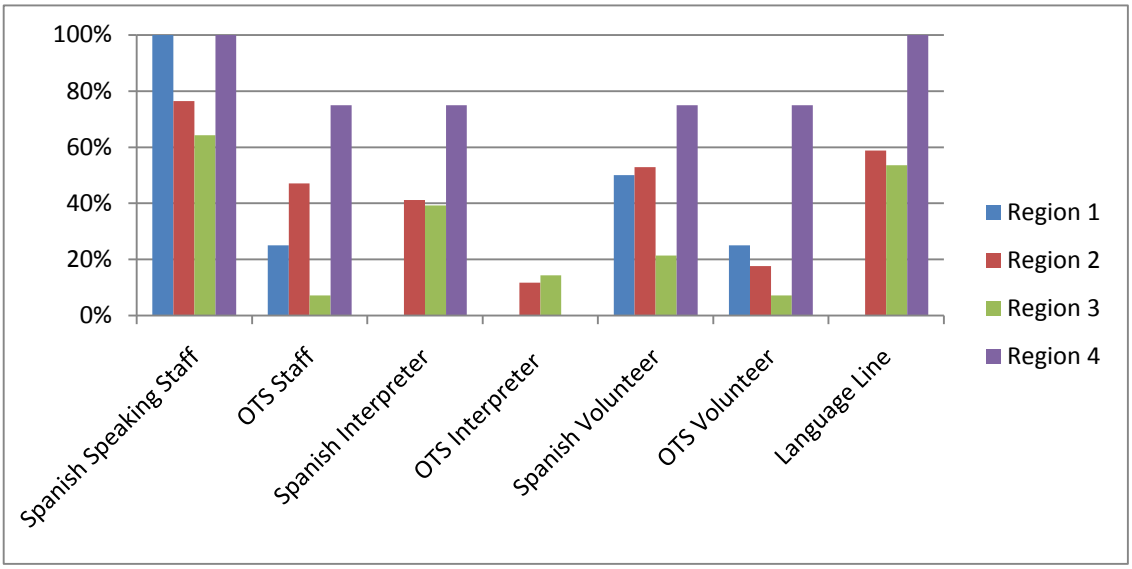


Figure 3-4 suggests that within self-help centers, LEP court users – especially OTS court users -- are more likely to be assisted by bilingual staff than by an interpreter. Bilingual volunteers are common in the regions that have large, urban counties – Regions 1, 2 and 4 – but infrequent in Region 3 which (with the exception of Sacramento County) consists largely of rural counties without large population centers. There is a significant difference between the regions in their use of telephonic interpreter services at self-help centers, with all courts in Region 4 reporting their use, but no courts in Region 1.

The limited number of responses to the survey and the lack of detail in published LEP Plans hampered the identification of significant trends across regions. The composition of the four Court Interpreter Bargaining Regions, however, also hampered analysis. The four regions were established by statute largely to correspond to the state's four appellate districts. As such, the regions combine counties with vastly different demographics and different demand for language access services into a single unit, making comparisons across regions problematic.

An example illustrates the problem. Region 3 consists of 32 counties, stretching from the state's northern border to just north of Los Angeles County. Most of the counties in Region 3 are small, rural counties —16 of the state's 20 smallest counties are found in Region 3 —but the region also includes the Sacramento metropolitan area, where six of the state's 20 most populous counties are found.

[176] Self-Help Law Center, Quarterly Report Data provided by AOC.

More importantly, the demand for language access services varies significantly within Region 3. In five of Region 3's counties, over 20% of the population is LEP, while in 8 counties, less than 3% are LEP. Put another way, when California counties are ranked from highest to lowest in terms of density of LEP residents, five of the ten California counties with the highest potential demand for language access services are in Region 3. So are nine of the ten counties statewide with the lowest percentage of LEP residents and hence potentially the least demand.

The pattern is not confined to Region 3. Region 1, with only four counties, includes both Los Angeles County, where over 25% of the population is LEP, and San Luis Obispo County, where 6.6% are LEP. Region 4 has both Imperial County (where 32% of the population is LEP) and Inyo County (6% LEP). Region 2 has five counties where 20% of the population is LEP and five counties where it is below 10%.

Substantial differences in terms of total population, LEP population and available resources among the counties within each region make identifying meaningful trends across regions difficult. Further study of language practices within communities with similar language communities might therefore be productive.

PART FOUR: CASE STUDIES

Case Study Overview

The case studies presented here reflect in-depth information regarding best practices in serving LEP court users. Information was gathered through in-person and telephonic interviews with select court staff, as well as onsite visits of individual court locations. A total of three superior courts diverse in geography, language need, and jurisdiction size participated in these pre-arranged interviews and onsite visits. Individual courts were selected and invited to participate by the AOC. Selection was based on the courts' diverse court user populations, as well as innovative practices illustrated in LEP plans and/or through other recognition, such as the KLEPs Award program.

The three superior courts identified for in-depth study were the Superior Courts of California, Counties of Alameda, Fresno, and Imperial. Table 4-1 provides additional information about these superior courts' geographic, political, and demographic characteristics.

Table 4-1: Case Study Court Profiles

Superior Court	Region	Geographic Region	Total Pop.	Percent of Foreign-born
Alameda	2	Northern California	1,510,271	30.7%
Fresno	3	Central Valley	930,450	21.7%
Imperial	4	Southern California	174,528	31.9%

As demonstrated above, these superior courts are located in different interpreter bargaining and geographic regions. Alameda is the most highly populated county of the three. Fresno is a close second, while Imperial has the smallest population of the three counties. Overall, the percentage of foreign-born residents in each of the counties is similar, accounting for roughly a quarter or higher of the counties' overall residents.

Table 4-2: Case Study Language Demographics

Superior Court	Percent of Pop. That Speaks A Language Other Than English	Percent of LEP Pop.	Court's 3 Most Frequently Requested Languages
Alameda	43%	19.3%	Spanish, Chinese, Vietnamese
Fresno	43%	18.5%	Spanish, Hmong, Lao
Imperial	74.2%	31.5%	Spanish, Hmong, Lao

As Table 4-2 above shows, all three superior courts have a high percentage of residents who speak a language other than English with Imperial leading significantly at 74 percent. Imperial also has the highest percentage of LEP court users while Alameda and Fresno have similar numbers. With regard to language variance, Spanish is the most frequently requested language

at all three superior courts, while the second and third requested languages vary slightly. Imperial rarely has requests for languages other than English and Spanish, while Fresno and Alameda have requests for a wide array of languages, many of which are not shown in the above table.

The case studies illustrate ways in which each court has responded to the unique demographic and linguistic challenges of its jurisdiction. To that end, the cases studies attempt to identify, describe and analyze:

1) the development, implementation, and evaluation of best practices used to serve LEP court users and

2) the best practices that are most effective according to each Superior Court.

The focus of the Report is to highlight the best practices – those that are the most effective and innovative. As described in the individual case studies that follow, the superior courts vary widely in their approach to providing language services. This variation is due to differences in the composition of the population served by the court and resultant workload in each language, as well as court staff and funding resources.

The Case Studies

Each of the three superior courts covered in the case studies is described in terms of the demographics and geography of the county in which it serves to give a better understanding of the needs of the court users in that county. Following the demographic and geographic description is a description of the court structure in that county and a listing of the effective practices and success factors that make each court a leader in language access.

Instead of cataloguing all of the effective language access practices applied by the three superior courts, the Report highlights the courts' most effective practices and success factors which are categorized under six major language access initiatives:

1) Language Access Planning
2) Language Services in the Courtroom
3) Language Services outside the Courtroom
4) Notification through Multilingual Material
5) Translated Court Forms and Other Documents
6) Public Outreach and Education

Superior Court of California, County of Alameda

Overview

Interpreter Collective Bargaining Region: 2

Total Population: 1.5 million

LEP Population: 19.3%

Top Languages: Spanish, Cantonese, Mandarin & Vietnamese

Geography, Demographics, and Court Structure

Alameda County, located on the east side of the San Francisco Bay, occupies a land area of 743 square miles, and is the seventh most populous among all California counties and second in the Bay Area. The population is highly diverse, both economically and ethnically.[177] Personal income varies widely throughout the community and housing costs are relatively high in all areas of the county. The most heavily urbanized areas are the cities of Oakland and Berkeley, with a continuous pattern of suburban development extending southward to Fremont.[178]

Alameda County is by far the most heavily populated of the three counties among the cases studied in this Report with a population of 1,510,271. The Superior Court of California, County of Alameda (Alameda) also serves the most diverse population of the three courts. The foreign born account for 30.7 percent of Alameda County's population and most originate from Mexico, China, the Philippines, India, and Vietnam.[179] Given the diverse population of immigrants, it is not surprising that 43 percent of Alameda County's residents speak a language other than English at home and 19.3 percent of the population is LEP.[180] As reported in Alameda's LEP plan, Spanish, Cantonese, Mandarin, and Vietnamese are the languages for which court users most frequently request services in Alameda.[181]

Alameda has seven courthouses and an administrative building. As of the summer of 2012, it was comprised of 71 Superior Court Judges, 14 Court Commissioners, and over 800 regular court employees, operating in 11 court facilities, including three Self-Help Law Centers, located in the cities of Alameda, Berkeley, Fremont, Hayward, Oakland, Pleasanton, and San Leandro.[182] In the 2010-2011 fiscal year, Alameda ranked seventh statewide in language access expenditures, which is not surprising given its diverse population of LEP residents. Language access expenditures include expenditures for court interpreters, interpreter coordinators,

[177] *See* www.counties.org/default.asp?id=399.
[178] *See* www.alameda.courts.ca.gov/Pages.aspx/About-Alameda-County.
[179] 2010 US Census; Table B05006.
[180] 2010 US Census.
[181] The 2010 Census' Table B16001 confirms that these remain the most frequently spoken languages in the county. The top 5 languages for Alameda in 2010, in descending order are: Spanish, Chinese, Tagalog, Vietnamese, and Hindi. In 2010 for Alameda County, about 17% spoke Spanish/Spanish Creole; about 6% spoke other Indo European languages; almost 19% spoke Asian/Pacific Island languages; and about 1% spoke other languages.
[182] To obtain more information about Alameda go to www.alameda.courts.ca.gov/Pages.aspx/Trial-Court-Unification.

interpreter supervisors, travel and more. Alameda spent $3,258,801 which represented 3.62 percent of the statewide total.[183]

Effective Practices and Success Factors

Language Access Planning

1. Engaging the Local Community

In 2006, with funding from the AOC, Alameda's court leaders hosted a Community Focused Planning Meeting, inviting twenty four local legal service providers and community leaders to advise the court on ways in which it could better serve the public. Language access emerged as the primary concern. Court leaders – especially judges – were involved with the outreach, and they were motivated to prioritize language access at the courthouses as a result of learning the concerns of community members.

Making language access a priority enabled the quick formation of a committee composed of the people most prepared and ready to address language access issues immediately: judges, the court's Language Access Coordinator, and a grant writer among others.[184] The initiatives the committee has since proposed have been very successful, making positive impacts on LEP court users and leading to new initiatives, including:

- comprehensive language access plans;
- judicially supported grant requests;
- increased recruitment efforts for bilingual professionals and volunteers;
- increased training and resources for bilingual staff;
- translation of most critical information into most frequently requested languages; and
- continued community engagement.

2. Preparing a Comprehensive and Individualized LEP Plan

Comprehensive planning assists the development of a continuum of language access services from the threshold of the courthouse to the courtroom. In 2009, after achieving some of its language access goals, Alameda developed a comprehensive LEP Plan. Starting from the template provided by the AOC, Alameda developed a plan tailored to the court's specific needs. The plan begins with a strong mission statement, demonstrating the court's commitment to increasing access and fairness, which serves as a constant reminder that part of its court policy is to lower barriers to justice including language barriers. The LEP Plan contains specific demographic information from the US Census and court records that allows Alameda to accurately identify which languages are most in demand locally, and therefore will require services throughout the courts.

[183] *See AOC, Trial Court Interpreters Program Expenditure Report for Fiscal year 2010-2011* (2012) at 6 (hereafter, Expenditure Report), available at www.courts.ca.gov/documents/tcip-expenditure-fy1011.pdf.
[184] Quinlan Interview.

Adding an Action Plan to guide implementation of the LEP Plan can provide a court with concrete steps it can take to achieve its policy goals. In 2009, Alameda obtained a SJI grant to hire a consultant to develop an operational plan to implement its LEP Plan. The consultant toured all of Alameda's facilities, interviewed its employees, and reviewed Alameda's existing language access limitations. Based on this information, the consultant recommended improvements including best practice techniques for the education and recruitment of staff, signage, and facilities. Alameda continues to consult the Action Plan, and as such, the Action Plan continues to inspire Alameda to pursue language access despite budget constraints (see Appendix F to review Alameda's language access initiatives).[185]

3. Focusing Efforts on Grants

Including grant-writing in the planning has been critical in allowing Alameda to meet its language access goals. Through grant funding resources, Alameda has dedicated resources to overcome the barrier of language and to provide access to court users. Since 2007, when Alameda designated a member of the court staff to write grants proposals for its language access initiatives, Alameda has been able to secure 4 grants for language access services.[186] Grants have enabled Alameda to fund programs, events, and services that could not otherwise be made available during periods of financial hardship and budget cuts.

Grants, for example, have enabled Alameda to engage in extensive public education and outreach. The court has published resource guides in Spanish, conducted community outreach to Vietnamese-American social service organizations, publicized self-help services in Chinese-speaking communities, and publicized available services on local Spanish-language radio programs and in print media.[187] Grants have also enabled Alameda to conduct trainings for its court staff and to purchase bilingual legal dictionaries.

4. Applying Incremental Approaches

In a multiple-court setting, prioritizing and planning for incremental implementation of language access services can be very advantageous. Advance planning and an incremental approach to implementing signage has allowed Alameda to move forward with this major financial investment despite budgetary constraints. Alameda began the process of improving its signage by partnering with the AOC to survey and asses Alameda's multilingual signage.[188] Based on this survey, a "Signage Way-Finding Plan" for Alameda was developed. This Plan was implemented first at the courthouse which was frequently visited by LEP court users and which also needed the most updating. The approach will be cost-effective on a long-term basis

[185] Quinlan Interview.
[186] *Id*.
[187] *Id*.
[188] *Id*.

because the plan can be utilized for Alameda's other courthouses as funds become available for signage.[189]

Language Services in the Courtroom

1. Identifying Interpreter Need Early

Identifying the need for an interpreter prior to a proceeding, significantly aids court staff in the management of cases and proper scheduling of interpreters. LEP court users can be identified at various points of public contact by court personnel including at court counters, Self-Help Law centers, other agencies, and in the courtroom before proceedings commence. Early identification of interpreter need allows courts to calendar the matter with ample time to provide interpreter resources, reducing possible costs and delays caused by continuances due to the possible unavailability of interpreters.

Alameda recently developed a new traffic case management system that includes an "interpreter identifier field" where language is identified and then a request form for an interpreter is generated. That information is then forwarded to the Interpreter's Office in order for that office to assign an interpreter for the traffic calendar in the language required.[190]

Language Services outside the Courtroom

1. Placing Bilingual Court Staff at Public Points of Contact

Bilingual staff provide a high level of language service in different points of public contact outside of the courtroom including the front counters, information kiosks, and self-help centers.[191] Having bilingual staff to serve court users at public points of contact is a critical element of language access services in the Alameda courthouses. Bilingual staff can assist court users before, during, and after their day in court by acquainting them with critical information about their case and telling them about other court programs and services. About seven percent of Alameda's staff is bilingual and Spanish is the most frequently spoken language by court staff.

One of the programs most in demand at the Alameda court is the combined Self-Help and Family Law Facilitator Center (the Center) which serves 36,000 people per year at three cities in the County of Alameda: Hayward, Alameda, and Oakland.[192] The Center serves LEP court users on a daily basis and is a program where language services are heavily in demand.[193] The

[189] *Id*.
[190] Quinlan Interview.
[191] *Id*.
[192] *Id*.
[193] Goldman Interview.

Languages spoken by JusticeCorps volunteers

1. Amharic
2. Armenian
3. Bulgarian
4. Cantonese
5. Farsi
6. French
7. German
8. Hindi
9. Japanese
10. Korean
11. Mandarin
12. Serba-Croatian
13. Shanghainese
14. Spanish
15. Tagalog
16. Urdu
17. Vietnamese

Centers heavily rely on bilingual court staff. Consequently, most of the staff is bilingual, covering some of Alameda's most frequently requested languages including Spanish and Vietnamese.[194] At the Oakland Center, most of the staff is bilingual and most speak an array of languages including Spanish (four), Vietnamese (two), Portuguese, and French.[195]

2. Recruiting Bilingual Volunteers

Volunteers can greatly increase the number of languages provided by the court. Bilingual volunteers become especially useful when they are the initial points of contact for court users.[196] Alameda, for example, has Information Kiosks staffed by volunteers located throughout the courthouses in Alameda County where court users can go for directions to particular departments and to obtain information about court programs and services. Although it is not required, Alameda seeks volunteers with language skills to increase its ability to assist LEP court users.[197]

Having a reliable source of volunteers also helps increase the spectrum of languages spoken at self-help centers, places frequenlty visited by LEP court users. Some of Alameda's bilingual volunteers are law students who participate in an internship program at the Center. The Oakland Center, for example, annually has about one to three law student volunteers.

Most of Alameda's bilingual volunteers, however, come through the JusticeCorps program. The JusticeCorps program is an innovative approach the courts have implemented to recruit and train 250 diverse university students each year to assist courts throughout California.[198] JusticeCorps volunteers serve a minimum of 300 hours during an academic year in self-help centers.[199] In return, the volunteers receive approximately 30 hours of training and an education award.[200] The Oakland Center usually recruits about 30 or more JusticeCorps volunteers. The JusticeCorps significantly augments Alameda's language assistance through the 65 bilingual university student volunteers that participate yearly in the program. Throughout the program's existence, the majority of volunteers have been bilingual, and almost every year there are a few volunteers that speak languages of lesser diffusion like Farsi and Tagalog.[201]

[194] Quinlan and Goldman Interview.
[195] Goldman Interview.
[196] Alameda Site Visit.
[197] Quinlan Interview.
[198] *See* www.courts.ca.gov/programs-justicecorps.htm.
[199] *Id*.
[200] *Id*.
[201] Goldman Interview.

The expansive range of languages spoken by staff and volunteers significantly increases the amount of people the Center can serve because appointments for court users can be made based on when language-speakers will be available. Having a diverse pool of bilingual volunteers also attracts more court users to the Center, and in so doing, the Center learns which LEP communities are in need of services. Members of certain immigrant communities, for example, will only visit the court's self-help centers once they know that someone on the staff speaks their language. Recently, Alameda noticed a "spike in visits" to the Oakland Center by Farsi-speaking court users. The spike occurred after word spread that someone on the staff spoke Farsi. Because one of the JusticeCorps volunteers spoke Farsi, the Center was able to help several court users from this LEP community that would not have sought help otherwise. Before this situation, the Center was not aware that Farsi was a needed language.[202]

3. Providing LEP Resources for Bilingual Staff

Providing bilingual staff with resources to help them communicate effectively with LEP court users, facilitates their ability to understand the needs of LEP court users and provide them with better service. In 2007, Alameda provided its bilingual staff with special language-related training.[203] For two days, the participants were trained by a local interpretation and translation agency in cultural competency and service to LEP court users. During the training, staff examined their roles as bilingual staff, including a review of ethics and various practices available to serve LEP court users. They also assessed their level of bilingual skills along with discussing the benefits of being bilingual. Staff also distinguished the US court system from those of other countries.[204]

Resources for Bilingual Staff

- Bilingual and cultural competency training;
- Continued education;
- Procedural guidelines;
- Bilingual legal dictionaries;
- "I speak" cards;
- Bilingual employee contact lists; and
- Telephonic interpretation options or services.

Additionally, in 2007, funds from an AOC Regional Office Opportunity Award funded cultural competency training to 44 employees at two of Alameda's courthouse locations. The four-hour workshops focused on providing a better understanding to court employees about how to work with LEP court users. The workshop explained differences that exist for LEP speakers who have different cultural backgrounds and legal traditions.[205] To supplement these trainings, in 2008, Alameda purchased 55 bilingual legal dictionaries in Spanish/English and Chinese/English for their bilingual employees. Having bilingual legal dictionaries in a court's most frequently requested

[202] Goldman Interview.
[203] Quinlan Interview. Staff members were identified as "bilingual" if they received a payment differential for their language skills.
[204] *Id*. Specifically, staff learned about the differences between the Common Law system on which the US bases its legal system and the Civil Law system prevalent in Latin American countries.
[205] I*d*. There has not been any further language access training for the staff since 2007 due to monetary constraints.

languages helps the staff service court users more efficiently.[206] Bilingual dictionaries are extremely helpful to staff when translating uncommon legal terms.[207]

Beyond training, a variety of other resources help Alameda's bilingual staff assist LEP court users. Alameda has "I Speak" cards available throughout all courthouses, so that staff can easily identify the language a court user speaks (see Appendix G to view a sample of the AOC's "I Speak" card). The court has a bilingual employee list in order for staff to be able to easily find someone on staff that speaks the LEP court user's language. When no court staff are available to assist the court user in the court user's language, a telephonic interpreter service is utilized, which is available in multiple languages.[208]

Notification through Multilingual Material

1. Posting Multilingual Signage

Multilingual signage is an effective way of helping guide LEP court users within a courthouse, decreasing the need to have bilingual speakers at multiple points of public contact. Since 2007, Alameda has posted holiday closure signs in eight languages at all of the County's courthouses for all court holidays.[209]

Alameda is also working toward improving the signage that directs users where to go and instructs court users about services provided and requirements of the court. Recently, Alameda placed 200 signs – produced in English, Spanish, and Simplified Chinese – throughout the Hayward Hall of Justice.[210] The signs are large and easy to read.[211]

Translated Court Forms and Other Documents

1. Covering All Departments

Translating critical information into a court's most frequently requested languages improves communication throughout the courthouse. In 2007, Alameda engaged in a major overhaul of its translations, translating one hundred ninety six documents, pamphlets, and other forms into Spanish. Many of these documents were also translated into Simplified Chinese. The inventory of translated documents covers various proceeding types and courtroom services, such as:

- ADR Civil Mediation;
- Civil Proceedings;

[206] Language Access Strategic Plan, Superior Court of California, County of Alameda, Language Services Outside the Courtroom, Bilingual Services. Effective Jan. 1, 2009.
[207] Quinlan Interview.
[208] Quinlan Interview.
[209] *Id*.
[210] *Id*. The signage is modeled on the new signage at the main courthouse of the Superior Court of California, County of San Francisco.
[211] Alameda Site Visit.

- Criminal Proceedings;
- Traffic Proceedings;
- Family Law Proceedings; and
- Self-Help Services.

While Alameda is in the process of deploying all of these documents throughout the courthouses, some types of translated documents are already available in some areas of the courthouse including the self-help law centers, information kiosks, and on Alameda's website.[212] Translating documents and court forms is critical to the successful operation of field offices and self-help centers. The field offices including the Family and Children's Bureau (FCB) provide a lot of material. The FCB, for example, provides a 50-page translation regarding child support.[213] The Family Law Facilitator/Self-Help Center provides brochures, flyers, and other leaflets addressing a variety of issues mostly in Spanish and in a few other languages. These documents are easily accessible in the Center's lobby (see Figure 4-1).[214]

2. Prioritizing Criticality and Demand

Figure 4-1: Oakland Self-Help's Translated Pamphlets

Because funding was limited, Alameda figured out a prudent way to achieve its language access goal within its budgetary limits. Alameda decided, in its language access initiative plans to translate the documents containing the most critical information into its most commonly requested languages (see Appendix F to review Alameda's language access initiatives). By tracking interpretations provided by independent contractors during 2007, Alameda determined that Spanish was the most requested language followed by Mandarin, Cantonese and Vietnamese.

After determining the most requested languages, Alameda engaged in a major translation initiative, translating 196 documents, pamphlets, and other forms. Unable to translate all of its documents into the most requested languages, due to financial and time constraints, Alameda charged individual court sites with determining the criticality of the documents to be translated. The courthouses were asked to submit their most commonly used documents and to rank each document from one to 4 (see Appendix J to review Alameda's ranking system). A

[212] Spanish translations are available at www.alameda.courts.ca.gov/pages.aspx/information-in-spanish.
[213] Quinlan Interview.
[214] Alameda Site Visit.

rank of one required top priority for translation; two signified moderate priority; three signified low priority; and 4 signified that the document was not recommended for translation. Documents that scored a 4 tended to fall outside of the scope of the translation contract because those documents were either web-based files, documents for a non-court program, or court-approved documents that could not be altered. This system enabled Alameda to translate the most vital information for its LEP court users in an efficient manner.
Since 2007, more documents have been translated into Simplified Chinese and Vietnamese. Most of Alameda's translations are handled by a language access consultant hired by the court. The consultant takes complex information and puts it into "plain language" – language that is easy to read and understand. It is important for the court to review the "plain" language version prior to publication to ensure that critical legal jargon and procedural instructions are included.[215]

Public Outreach and Education

1. Providing Workshops

Workshops are an efficient means for self-help centers to educate a large group of LEP court users. Alameda conducts bi-weekly workshops in Spanish at their Self-Help and Family Law Facilitator Centers to save time and money. Conducting workshops entirely in Spanish, rather than through an interpreter, speeds up the process for all parties because the court user receives critical information directly. The workshop format also saves resources because the court users are taught in groups rather than requiring numerous staff to help them one-on-one at self-help centers.

The workshops also have the aim of assisting court users in helping themselves (see photo). Alameda's policy is to have LEP court users fill out their own forms so they can experience the achievement of completing a court-related form and consequently feel less intimidated by the court system. At their Spanish workshops, staff present court users with the same forms in Spanish and in English to give workshop participants the confidence that what they are filling out is exactly the same in English as it is in Spanish.

2. Focusing Efforts on Grants

As described above, Alameda has been able to fund extensive public education and outreach through grants. Alameda has published resource guides in Spanish, conducted community outreach to Vietnamese-American social service organizations, publicized self-help services in Chinese-speaking communities, and publicized available services on local Spanish-language radio programs. Because of limited funding, Alameda focused its outreach efforts on the most frequently requested languages and in that order: Spanish, Chinese, and Vietnamese. However, most grants for publication are directed at Spanish. In 2008, for example, Alameda

[215] Quinlan Interview. Specifically, Spanish accounted for 25% of all interpretations followed by Mandarin/Cantonese at 18%, while Vietnamese accounted for seven percent and Russian accounted for three percent. The rest were all "other" languages.

applied its AOC Community Focused Court Planning Grant to publish the office hours of the Self-Help Law Centers in the local Spanish language paper.[216]

3. Increasing Judge Participation

Judges are also instrumental in educating the public about the court's language access initiatives. Having judges regularly convene meetings at the courthouse brings attention to the court's programs. These meetings allow community leaders to find out what programs and services the court is offering and relay the information to their constituents. This is especially helpful when the court has limited funding to publicize programs and services. To stay current on issues impacting the community, the court can solicit input and feedback from the community leaders at these meetings.

4. Establishing Local Programs to Increase Language Service Resources

Like many California superior courts, Alameda has struggled to have enough interpreters because interpreters -- Spanish-speaking interpreters in particular -- are in high demand throughout Alameda County. For a long time, Alameda has competed with local hospitals and other entities over a limited pool of qualified interpreters. Inspired by a nearby hospital that started a medical interpreting program at a community college to increase its pool of bilingual staff, leadership from Alameda teamed up with representatives of the local community colleges to develop a program that would prepare Spanish-speaking students for court interpreting. The collaborative effort led to the development of a Spanish court interpreter program at a local college.[217]

Students who go through this program develop marketable skills, gain access to the courts as interns, and earn a certificate in court interpreting. The program also provides a model for further expansion of the program to include languages other than Spanish, which are commonly requested by court users. An additional benefit of the program is that there is no cost to the court because the college handles the administration of the program.[218]

<u>Alameda Case Study Contributors</u>
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[216] *Id*. Additionally, Mr. Quinlan says that he recently approached the director of the Self-Help Law Center to request funding to publish announcements by the end of the summer in three newspapers and in the most frequently requested languages.
[217] Quinlan Interview. Leaders included judges, Peralta Community College legal counsel, the Laney College division dean, the full-time political science instructor, and other faculty in related disciplines.
[218] *Id.* For more info about Laney College's interpreter program go to www.laney.edu/wp/cte/files/2012/04/CTE_brochure.pdf.

Superior Court of California, County of Fresno

Geography, Demographics, and Court Structure

Geographically, Fresno County is a large county located in California's central valley, famous for its agricultural industry. At 5,963 square miles, it is just over three times the size of the average county in the US. Over 60 percent of the County's total population resides in the neighboring cities of Fresno and Clovis, while the rest live in rural areas.[219]

Overview

Interpreter Collective Bargaining Region: 3

Total Population: 930,450

LEP Population: 18.5%

Top Languages: Spanish, Hmong & Lao

The Superior Court of California, County of Fresno (Fresno), serves a population of 930,450, 43 percent of whom speak a language other than English at home and 18.5 percent of whom are LEP. Spanish, Hmong, and Lao are the three most frequently requested languages in Fresno. Foreign-born account for 21.7 percent of the population and most originate from Latin America and Southeast Asia.[220] Fresno County is also home to 32,000 Hmong, the second largest Hmong community in the US[221], and has isolated pockets of languages of lesser diffusion like Mixteco.

Fresno conducts the majority of its business at three courthouses located in the City of Fresno along with other facilities. The main courthouse hears criminal, domestic violence, drug court, and juvenile dependency cases. Juvenile delinquency cases are heard at a separate courthouse. The main courthouse also includes the ACTION Center, the network of services for one-stop service for court users after conviction in a criminal or traffic matter. Traffic cases are heard at the M Street Courthouse. The B.F. Sisk Courthouse, where the Self-Help Center and Family Law Facilitator's Office are located, hears civil, family, probate, small claims, and restraining order cases and houses family court services.[222]

This courthouse also houses the Centro de Recursos Legales, a self-help center providing assistance in matters such as domestic violence restraining orders, child and spousal support issues, civil harassment, guardianship, general family law, and unlawful detainer. This Center offers support in English, Spanish, Hmong and Laotian, a reflection of the county's changing immigrant population.[223]

[219] Find more information about Fresno County at www.co.fresno.ca.us/CountyPage.aspx?id=19947.
[220] 2010 US Census.
[221] *See* www.news.newamericamedia.org/news/view_article.html?article_id=85c3056f661051b3108c07aa7ccd3217.
[222] See www.fresno.courts.ca.gov/courthouses/.
[223] *See* www.fresno.courts.ca.gov/family/sshc.php.

In the 2010-2011 fiscal years, Fresno ranked tenth among the 58 superior courts in funding amount it received for language service expenditures. Fresno spent $2,330,668 which represented almost three percent of the statewide total.[224]

Best Practices and Success Factors

Language Access Planning

1. Seeking Department Contribution

All of Fresno's departments contribute to the updating of Fresno's LEP Plan. The Interpreter Coordinator, who is charged with updating the Plan, reviews the Plan annually and seeks participation from other staff by checking with all of the departments to see if they recommend updates and changes necessary to help LEP court users.[225] Having the staff participate in the updating helps ensure that LEP court users' concerns are considered, because court staff are often the initial points of public contact for LEP court users. According to Fresno staff interpreters, court leaders prioritize providing superior service to its court users in general and to LEP users in particular.[226] The staff is interested in participating in the updates to improve the experience for LEP court users.

2. Implementing One-Stop-Shop Models

Figure 4-2: Fresno's ACTION Center Poster Board

Fresno stays aware of the language groups it serves and the respective needs of those groups.[227] This awareness led Fresno to make logistical changes to improve access for LEP and other court users. Fresno sought to create a more efficient process for court users by centralizing numerous services, eliminating additional steps for court users, and placing high-demand services in close proximity to the courthouse entrances for

[224] Expenditure Report at 6.
[225] Franco Interview.
[226] Case Study, Superior Court of California, County of Fresno, Interview with Staff Interpreters (May 22, 2012) (hereafter, Interpreters Interview).
[227] *Id.*

instant access.[228] Implementing one-stop-shop models – the ACTION Center and the Self-Help Center/Family Law Facilitator Office – is one of Fresno's most effective and highly used language access practices.

The After Criminal Traffic Infraction One-stop Network (ACTION) Center offers traffic and infraction defendants immediate, centralized information, services, and referrals needed to comply with court orders.[229] Located just outside the main courthouse, the ACTION Center is an easy to locate, one-stop-shop for court users, created to provide all of the information needed in order not to get lost in or fall through the cracks of the complex legal system.[230] Specific information provided at the ACTION Center includes next steps court users must take, who they should call, what they should sign up for, where payments can be made and more.[231]

Community leaders organized a committee including stakeholders from Fresno to determine how to improve compliance with court orders. During discussions, they determined that the main problem stemmed from confusion at the courthouses. It seemed that court users, especially LEP court users, were confused when they departed the courtroom about what the proceedings meant and what they were supposed to do. The committee thought that sending court users to a central location immediately after court proceedings to have court staff explain the post-proceeding process and the meaning of the orders received by court users would improve the compliance rate.[232]

Figure 4-3: Fresno's Signage

The ACTION Center is a great starting point for LEP court users because the staff members orient court users by providing preliminary information and assistance with complicated forms that family members cannot interpret. Court interpreters often take the initiative to accompany court users from the proceedings to the ACTION Center when possible, and mostly for court users that speak languages of lesser diffusion in order to interpret for them and ensure court users understand what they are supposed to do.[233] Signage is also visible around the main courthouse to guide court users to the ACTION Center (see Figure 4-3). To aid Spanish-speaking court users, a large free-standing sign written in English and Spanish that includes colorful visuals and specific instructions about the ACTION Center is centrally-located at the main courthouse (see Figure 4-2).[234]

[228] Bello Interview.
[229] Fresno interviewees noted the ACTION Center as the most effective language access practice at the Fresno courts.
[230] Bello Interview.
[231] Interview, Sandra Leon, Superior Court of California, County of Fresno, May 22, 2012 (hereafter, Leon Interview).
[232] Franco Interview.
[233] *Id*.
[234] Case Study, Superior Court of California, County of Fresno, Site Visit at Downtown Courthouse (May 22, 2012) (hereafter, Fresno Site Visit).

Located in a recently renovated courthouse where many court services are offered, the Self-Help Center and the Family Law Facilitator's Office are in a prime location to serve many LEP court users whose family law and other civil cases are being heard there. When the new courthouse was being considered, it was an administrative priority to set up the Self-Help Center and the Family Law Facilitator's Office there as a one-stop shop similar to the ACTION Center and surrounded by other court and community services.[235] This was due to Fresno's awareness that the Self-Help Center and the Family Law Facilitator's Office are two of Fresno's most frequently solicited points of public contact in the judicial system.

Language Services in the Courtroom

1. Encouraging Court Staff to Collaborate

Collaboration among staff is essential to ensuring that a court user will be provided with adequate language services. In the courtroom, the deputies and interpreters work together to determine what languages are spoken by court users. Once language needs are identified at the court user's first appearance, the information is relayed to the Interpreter Coordinator who follows up with users.[236] The Interpreter Coordinator plays a critical role in ensuring LEP court users receive adequate language services.

Fresno's priority is to obtain certified or registered interpreters whenever possible.[237] Fresno decided to hire fulltime interpreters, who are court certified or registered, in Spanish, Lao, and Hmong based on need for language and frequency of use. Interpreters for other languages are called as needed.[238] The Interpreter Coordinator works diligently to secure interpreters directly, but when she is unable to do so, she will rely on other interpreting agencies and telephonic interpreting services to help her locate a qualified interpreter.[239]

2. Using Court Resources Creatively

The staff interpreters commend the Interpreter Coordinator for using court resources creatively to help locate qualified interpreters for all LEP court users, especially for those that speak languages of lesser diffusion.[240] Sometimes it can be very difficult to find a qualified interpreter within the Fresno County's boundaries. Consequently, the Interpreter Coordinator is willing to experiment with logistical resources to find effective and inexpensive ways to help LEP court users.[241]

For example, when Fresno needed to communicate with an LEP Polish-speaking court user located in Poland, the Interpreter Coordinator attempted to find a qualified Polish-speaking

[235] Bello Interview.
[236] Interpreters Interview.
[237] Franco Interview.
[238] *Id*.
[239] *Id*.
[240] Interpreters Interview. The staff interpreters say she is organized, connected, and creative.
[241] Franco Interview.

interpreter in Fresno County or the surrounding area. The nearest qualified Polish-speaking interpreter she could find was located in Los Angeles County. Instead of paying to have that interpreter travel to Fresno in Fresno County, which can be very expensive for Fresno and cause delays for the court user, the Interpreter Coordinator organized a conference call between Fresno, the court user located in Poland, and the Polish-speaking interpreter located in Los Angeles. The conference call took much less time than it would have to have the interpreter travel to Fresno County. Experimenting with logistics by setting up a conference call accomplished the task of providing a qualified interpreter in a cost effective manner and also prevented additional delays for the court user.

Language Services outside the Courtroom

1. Improving Particular Proceedings

Fresno attempts to take reasonable measures to ensure that LEP court users have meaningful access to services outside the courtroom. Recent changes in particular proceedings and operations at the courthouse – involving post-conviction drug court and domestic violence restraining order hearings (DVRO) – demonstrate Fresno's willingness to continue improving language access in areas impacting LEP court users despite facing many challenges to provide language services for these proceedings. In 2011, for example, Fresno implemented a three-year grant-funded project to provide targeted services and treatment to Post Conviction Drug Court defendants who are assessed to have mental health disorders.[242] Spanish access was increased at the drug court after receiving an evaluative report required by a $ 1 million federal grant. The evaluation was based on the responses of participants interviewed across all groups and the finding revealed that Spanish-speaking court users in drug court needed more Spanish-language drug and mental health treatment groups.

Fresno leveraged the federal grant to expand its multilingual treatment services by requiring treatment providers to employ at least one bilingual project clinician for these defendants and to provide cultural sensitivity training to new staff along with annual reviews with the contracted companies that provide drug treatment and screening services who work with drug court clients.[243] Fresno is now seeking new grants to continue funding these services after the grant ends late in 2013. Although there is limited demand for Spanish-language treatment sessions (about three people per year), the language access was successful for those that utilized the services. One graduate said part of his success for recovery was due to the availability of services in Spanish. Fresno is working toward providing drug court treatment in other languages as needed.[244]

Over two years ago, Fresno prioritized Spanish interpreters for DVRO cases. The family law interpreters used to be in a pool of interpreters and were signed out on a first-come, first-served basis rather than on an issue-based focus. This caused court users with DVRO cases to

[242] LEP Plan, Fresno, Language Assistance Resources, Language Services Outside the Courtroom. Effective Feb. 1, 2012.
[243] *Id.*
[244] Bello Interview.

endure long waits for interpreters, especially because DVRO services are some of the most commonly requested by LEP court users. The severe "trailing" adversely impacted Fresno as well because it would have to postpone the cases to later in the day.

Now, an interpreter is assigned to the DV department at all times and will be assigned elsewhere only if not in use. Because the family law department continues to receive numerous calls, when interpreters are available, they are automatically sent to the family law department.[245] This slight revision drastically reduced the wait time for DV cases. This also demonstrated to LEP court users that Fresno took these types of cases very seriously.[246]

2. Cultivating a Customer-First Culture

Cultivating a courthouse culture that supports collaboration among departments and fosters open communication among employees enables staff to provide better service to court users. The service provided to court users is viewed like customer-service and court users are treated like customers. In Fresno, for example, the Call Center forwards calls from LEP court users to the ACTION Center, or directly to other bilingual staff throughout the court.[247] The aim is to reduce and preferably eliminate any wait time for the court user regardless of the language need.

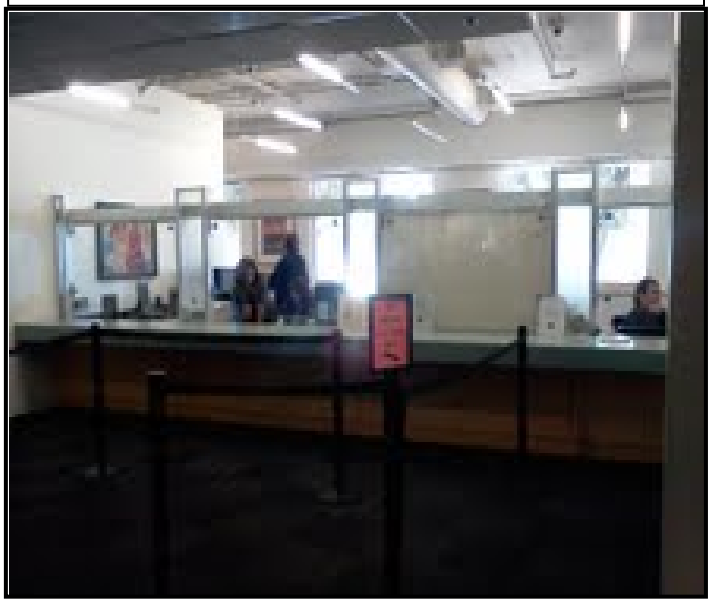
The Interpreter Coordinator also assists the staff when additional language access services are needed. Fresno's court staff is trained to call the Interpreter Coordinator when they are working with an LEP court user who needs additional assistance from an interpreter.[248] For example, although it has reliable bilingual staff, the ACTION Center is grateful it can access Fresno's fulltime interpreters as needed. The ACTION Center calls when it needs assistance interpreting complicated legal terms or when staff needs assistance translating the contents of correspondence. The Interpreter Coordinator will arrange for an interpreter to assist by phone if an interpreter is available at that time. If an interpreter is not available, the ACTION Center will wait for one of the interpreters to return the call as one of them becomes available.[249]

Characterized by a customer-oriented culture, the Self-Help Center/Family Law Facilitator Office offers counter-type service on a first-come first-served basis to court users (see Figure 4-4). Spanish is the most frequently requested language there, so Spanish-speaking clerks are assigned to the front windows to ensure the most Spanish-speaking LEP court users can be assisted without the need of an interpreter.[250] There is also one Hmong-speaking clerk who can attend monolingual Hmong-speaking court users. When a court user who speaks a language of lesser diffusion does not bring someone to interpret for them, then the staff will first use the "I

[245] Franco Interview.
[246] Bello Interview.
[247] Leon Interview. Ms. Leon noted that this is one of the most effective practices.
[248] Interpreters Interview.
[249] Leon Interview.
[250] Gran Interview.

Speak" cards to determine the language needed. Staff will then refer to the Fresno-wide list of bilingual staff to check for their availability in assisting the court user.

Figure 4-4: Fresno's Counters for Self-Help Center/Family Law Facilitator



3. Establishing Public Service Partnerships

Another source of bilingual services that reduces the time that court users must wait for interpreters are public service agencies. Complementary office space for the Better Business Bureau, the Central California Legal Services (the local Legal Aid provider), and the Marjoree Mason Center shelter for abused women were strategically provided near the Self-Help Center and Family Law Facilitator's Office. The agencies often collaborate with the Self-Help Center and the Family Law Facilitator's Office which expands the range of languages spoken by staff and the number of bilingual staff available to serve court users, especially in Spanish and Hmong, Fresno's two most frequently requested languages.[251] The Self-Help Center and Family Law Facilitator's Office are highly frequented services, thus it helps them to be able to ask the other agencies for their bilingual staff to help as needed. Having access to this additional resource of bilingual speakers is very helpful given that Fresno's fulltime interpreters cannot consistently serve this area.[252]

Notification through Multilingual Material

1. Translating Court Website

A significant portion of Fresno's website is translated into Spanish.[253] Fresno contracted a professional translator to produce a translation that was tailored for various Spanish-speaking court users rather than merely rendering a verbatim translation. The translation needed to be understandable and "warm and open". Fresno hopes to translate the entire website into Spanish and the most-read pages into Hmong.[254]

[251] Bello Interview.
[252] *Id*.
[253] Find Fresno's Spanish website at www.fresno.courts.ca.gov/general_info/?lang=sp.
[254] Bello Interview. Because Hmong has been in written form for only about 50 years, it is difficult to find competent Hmong translators.

Public Outreach and Education

1. Seeking Media Allies

Outreach to LEP court users through the media is helpful for reaching a large pool of court users including those who live in rural areas and may not have access to or be able to afford an internet connection. For example, guardianship cases overwhelmingly demand Spanish-speaking language services. With grant funding from the AOC, Fresno reached this LEP group by explaining the guardianship services in a four-page guide inserted in 30,000 newspapers of the largest Spanish-based newspaper in the region purposely published on Cesar Chavez day.[255] Fresno has also used radio as a means to reach LEP court users. Fresno provided a simple 30-second tip each morning called "Tip of the Day" (an idea borrowed from the Superior Court of California, County of Ventura) for seven weeks through three Spanish-based radio stations.[256]

Working with private sector entities that are trying to reach the same group of constituents can prove to be very cost effective. Publicizing in either of these mediums is very expensive, but both the newspaper and the radio station sponsored some of the costs for Fresno's outreach efforts. In addition, the newspaper helped format the content in a user-friendly way and conducted focus groups to find out from LEP individuals what they wanted to know about the court system and related services. Additionally, the newspaper ran an editorial that same day to let people know the insert was available and included instructions on how to find the information on the court's website.[257]

2. Partnering with Community-Based Organizations and Others to Increase Language Access

Working with other entities helps increase language access resources. Because Fresno County has isolated pockets of languages of lesser diffusion such as Mixteco, a dialect of southern Mexico[258], Fresno has often overcome the challenge of providing these LEP populations with adequate language services by collaborating with community-based organizations and other community leaders.[259] Fresno has been able to reach the Hmong population by working with the non-profits and community leaders that have already established connections with Southeast Asian communities. For example, before running for city council, Fresno's first Hmong city councilman met with court leaders to discuss how to reach the Hmong community. With that motivation, some of Fresno's judges appeared on Hmong radio stations to discuss general aspects of Fresno such as what to expect at court and what are people's rights.[260]

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[255] Cesar Chavez Day is widely recognized as an important date in the history of Mexicans living and working in the US.
[256] Bello Interview. Tips were as simple as the following: "If you get a jury summons – respond. Don't throw it away".
[257] *Id*.
[258] *See* www.archaeology.about.com/od/mterms/a/mixtec_culture.htm.
[259] Bello Interview. Scheduling interpreters for a Mixteco court user can be very challenging because relay interpreting is usually required to provide meaningful language access. Interpreters who speak Mixteco usually speak Spanish but not always speak English. Thus, a relay interpreter that speaks Spanish and English must also be hired to do the complete translation from English to Mixteco.
[260] *Id*. According to Ms. Bello, all of Fresno's LEP projects that she has worked on have been collaborative. She explains that the diversity of court staff and judicial officers that participate in the LEP initiatives add expertise and richness to the projects.

Fresno is currently working toward establishing a stronger relationship with the Mexican Consulate to provide better resources to LEP Mexican court users. The Consulate is informing Fresno about the services it provides and the Consulate also seeks to determine how these entities can coordinate their respective services. Joining forces with the Consulate strengthens the court's message and empowers those that need the information. This is especially helpful for the LEP court users living in the rural part of the County – 35 percent lives outside of the metropolitan areas (Clovis and Fresno) and 95 percent of those living outside of the metropolitan areas are predominantly or exclusively Spanish-speaking.

Working with the Consulate helped the court reach these LEP populations by using promoters who speak Spanish and inform people about what the agencies do and provide such as the agencies' translated websites. The promoters also ask what specific issues potential court users would like addressed at court and at the Consulate. Some issues are common to both agencies such as domestic violence and immigration.[261]

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[261] Bello Interview.

Superior Court of California, County of Imperial

Geography, Demographics, and Court Structure

Overview
Interpreter Collective Bargaining Region: 4
Total Population: 174, 528
LEP Population: 31.5%
Top Languages: Spanish, Hmong, & Lao

Imperial County, located in the lower desert of Southern California's Imperial Valley extends over 4,597 square miles and is one of California's prime agricultural counties. Although Imperial County is bordered by the country of Mexico to the south, the state of Arizona to the east, Riverside County to the north, and San Diego County to the west, it is the most isolated of the counties studied in this Report due to its location in the desert.[262]

The Superior Court of California, County of Imperial (Imperial) serves a population of 174,528, 74.2 percent of whom speak a language other than English at home and 31.5 percent of whom have limited English-proficiency. The most frequently requested language for Imperial is Spanish with rare requests (averaging four to five per year) for Asian languages such as Hmong and Lao. An overwhelming percentage of Imperial County's population – 72.2 percent – speaks Spanish at home, which is not surprising given Imperial County's neighboring proximity to Mexico. About 32 percent of the population is foreign born and most – 28 percent of the population – originated from Mexico.[263]

Imperial is served by ten judges, one commissioner, and one referee. Imperial employs approximately 147 court staff at six locations throughout the County including El Centro, Brawley, Calexico, Winterhaven, the Juvenile Court, Jail Court, and Valley Plaza Infractions Court. It also offers a Self-Help Law Center called the Access center located at the main courthouse in El Centro. In the 2010-2011 fiscal years, Imperial ranked twenty-fifth among the 58 superior courts in language services expenditures, which is not surprising given its small population.[264] Imperial spent $572,590 which represented a minimal share of statewide expenditures.[265]

[262] *See* www.imperial.courts.ca.gov/index.htm.
[263] 2010 US Census, Table B05006.
[264] *Id.*
[265] *See* Expenditure Report at 6.

Best Practices and Success Factors

Language Access Planning

1. Promoting Efficiency

Imperial aims to have an efficient legal process in order to better serve the community which is predominantly Spanish-speaking. Imperial's current and past Chief Executive Officer (CEO) have developed a strong customer service ethic throughout Imperial's court system. The current CEO aims to ensure that all court users are treated well – almost like customers, where the court itself functions as a one-stop shop. This type of management attitude makes a huge impact on court staff. The CEO expects court staff to share the workload. A common question among staff at Imperial is: "Are you providing the best customer service?" Imperial staff explained that due to the influence of the CEO, the staff will take extra steps for LEP court users even if it requires referring them to other places and making additional calls for them.[266] The CEO's management style has also increased Imperial's fiscal prudence. Having only about 150 staff and eight departments, Imperial is very efficient and resourceful in the way they provide services to LEP court users.[267]

2. Promoting Equity

Imperial's leadership, specifically past and present CEOs and judges believe the court has a duty to the community. The CEOs have helped Imperial realize that there are many problems affecting the community such as unreported domestic violence, youth delinquency, and more. Because the court is aware of these needs, it tries to help each family whether it is with foster care in juvenile proceedings or with other court-related issues. Several of the current judicial leaders also have backgrounds in family law, legal aid, and social justice that has connected them closely with the community. Because of their backgrounds, the judges work diligently to help community leaders collaborate and invest their resources together in order to bring valuable ideas to fruition. Much of their work has centered on mitigating issues impacting youth in the area. They have spearheaded county-wide projects to create comprehensive projects for juveniles at risk. Currently, Imperial's judges are trying to create a family justice center as a one-stop shop for people impacted by violence.[268]

3. Introducing Bi-National Discussions

Bi-national discussions have strengthened the relationship between Mexico and Imperial and that strengthening has led to positive impacts in a variety of areas. An important legal area where the Mexican-US partnership is making a major impact for LEP is child support. Child support is an area where these entities are working closely due to the intricacies of the system,

[266] Villalobos Interview. Interviewees emphasized that to develop this type of client-oriented culture requires the support of Imperial's leadership including the CEO and judicial officers. Mr. Villalobos said the current CEO is a service-oriented leader.
[267] Yoo Interview.
[268] *Id*.

the sensitive nature of the issue, and the impact on the parties involved. Imperial, for example, gives the Consulate training on child support issues. This educational component is very useful for both sides given the number of cases they address. The Public Defender in Mexicali addresses family law matters as well, allowing the court to refer court users there also. The Consulate and the court work together to connect child support services (US side) with agencies and the Court in Mexicali.[269]

Bi-national discussions have also helped mitigate situations relating to child abductions. Children were being taken from the Mexico to the US and vice versa. Part of the law that applies to child abductions is the Hague convention on the Civil Aspects of Child Abduction. A particular section of the Convention (Article 29) says that a parent can go directly to a judicial authority in the other country to request the abducted child. Although this would make it easier for parents to recover their children, explaining the Hague agreements to Mexican authorities presented language challenges. The court has hired Guillermo Villalobos as a paralegal in its self-help center. Mr. Villalobos is licensed as an attorney in Mexico and formerly worked for the consulate in Calexico. Mr. Villalobos' language skills and legal background allowed him to develop a pleading form in Spanish that could be provided to public defenders in Mexico. This made it easier for authorities to understand the law and eased the burden on authorities that would otherwise have to explain the Hague agreements. Mr. Villalobos' understanding of both the US and Mexican legal systems helps Imperial understand what can and cannot be done according to Mexican law.

The collaboration on child abductions also helped enforce child support orders, divorce orders and custody orders in Baja and elsewhere. Mr. Villalobos saw that it would be easier for the Consulate to work directly with the Court rather than triangulate through Mexico City. According to Mr. Villalobos, it is the Consulate's duty under the Vienna Convention on Consular Relations (Article 5) and the internal laws of the Minister of Foreign Affairs, to get involved with child protection services and international child restitution etc. Interestingly, consulates from Los Angeles, San Bernardino and other locations were surprised the Calexico Consulate was doing this – it seemed beyond the scope of their duties. Later these consulates thought they should do this with their local courts too.

Language Services in the Courtroom

1. Establishing an LEP-First Culture

According to Imperial's LEP Plan, the court always provides language access services in criminal and juvenile hearings but provides interpreters, for other non-mandated civil matters, to the extent there is funding.[270] In practice, however, Imperial provides interpreters for almost every proceeding regardless of whether it is mandated. This is especially remarkable considering that

[269] *Id*.

[270] LEP Plan, Imperial, Language Assistance Resources, Interpreters Used in the Courtroom, Providing Interpreters in the Courtroom. Non-mandated proceedings include hearings involving domestic violence, elder abuse, family law, child support cases, family court services, and mediation.

Imperial has been functioning with fewer interpreters than it normally does and without a fulltime Interpreter Coordinator. Imperial is able to do this because of the influence of its leadership. Strong leadership keeps Imperial focused on improving its language services. Imperial's service-oriented CEOs created a culture of collaboration and customer service which puts the needs of court users at the top of the court's priorities.[271]

Staff members are mutually supportive and cooperate with each other to accomplish the court's needs. In this environment, the staff works together to move interpreters as fast as possible from proceeding to proceeding and even courthouse to courthouse so that cases are not delayed.[272] There is a strong sense of "safety net" which compels Imperial to take its role to help the community very seriously. Imperial's current CEO emphasizes providing interpreters to assist court users regardless of what type of proceeding is scheduled. Unless there is a criminal trial and absolutely no staff interpreter is available, Imperial provides interpreters for family law and other civil matters.[273]

2. Communicating Language Needs

Communication is another critical aspect of Imperial's successful service-oriented culture. In the past, judges and court users became frustrated when cases were delayed due to the unavailability of an interpreter. To avoid this frustration much communication is done prior to the day of the proceeding and even that same day.[274] Prior to proceedings, each court clerk determines the language needs of court users and emails that information to the interim Interpreter Coordinator who then informs the Operations Manager who schedules the fulltime interpreters and hires independent contractors.[275] If an interpreter is unavailable on the day of the proceeding then the Interpreter Coordinator informs the judges directly or the judges' clerks about the limited availability of interpreters. This communication helps ease the tension because the judges understand that resources are limited and will therefore proceed accordingly.

3. Having Accessible Judges

According to Imperial staff, the judges there are very accessible and have a team-oriented mentality. The judges will work with staff to assist court users within the court's constraints.[276] Imperial runs smoother when the schedule for judges and interpreters is managed well. The misdemeanor calendar, for example, was changed from the morning to the afternoon because there were not enough interpreters available in the morning and an interpreter was needed for the misdemeanors as well as the felony cases.[277]

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[271] Gieck Interview.
[272] *Id*.
[273] Imperial interviewees credit the CEO for Imperial's service-oriented culture.
[274] Gieck Interview.
[275] Interview, Maria Rhinehart, Operations Manager, Superior Court of California, County of Imperial, April 5, 2012 (hereafter, Rhinehart Interview).
[276] Gieck Interview.
[277] Rhinehart Interview.

4. Using Interpreter Time Efficiently

Imperial currently has one less fulltime interpreter than usual and has been unable to take further steps to fill this vacancy due to budget constraints.[278] Thus far, however, Imperial has been able to fill the language needs of court users by efficiently managing the calendars of fulltime interpreters and hiring pro tem interpreters for half-day assignments a few days of the week as needed. Currently, all fulltime interpreters speak Spanish and there is no need for a fulltime interpreter in any other language because of the dominance of Spanish in the community.

In order to efficiently schedule interpreter services, Imperial utilizes a system called "master calendaring." Each fulltime interpreter is assigned to the master calendar (the calendar of cases heard by the presiding judge) for a month while the other interpreters handle the rest of the departments and courthouses. For that month:

- The master-calendar interpreter is the "go-to interpreter" at the main courthouse where the main felony calendar is heard.
- That master-calendar interpreter is called to assist in other areas as needed and is assigned to render all translations.
- The second interpreter gets arraignments.
- The third interpreter gets misdemeanors and so on.

This system allows the interpreters to know in advance when and where they will be scheduled. After a month, the fulltime interpreters rotate into another department or courthouse.[279]

An additional benefit of master calendaring is the ability for one of the interpreters to stay aware of language service needs in the courtroom. Because the master-calendar interpreter is working so closely with the presiding judge, that interpreters can inform the interpreter coordinator of any upcoming trials that may require language assistance. This communication aids the scheduling of interpreters and prevents delays due to a lack of interpreter. This system is especially useful when additional interpreters need to be scheduled. Sometimes additional interpreters are needed when a trial is expected to go longer than usual. If the trial occupies the master-calendar interpreter's full day then more interpreters will be needed to cover other assignments at the main courthouse. Rotating out of the main courthouse also provides the interpreters a time to rest because doing the master calendar can be tiring as it requires spending the most time in proceedings and presents the highest probability of going to trial.[280]

[278] Gieck Interview. There are currently 4 fulltime interpreters working at the Imperial courts and a fifth position has been available since January but remains vacant. Imperial started recruiting efforts, but then for budget reasons decided to hire pro tem interpreters for half day assignments.
[279] *Id*.
[280] *Id*.

Language Services outside the Courtroom

1. Providing Bilingual Assistance at Initial Points of Public Contact

The morning "court greeter" program at the El Centro courthouse, the main courthouse, is a solution Imperial developed to improve its LEP court users' experience at court and to improve the courthouse's efficiency.[281] Imperial's main courthouse is constantly busy despite Imperial County's small population and a majority of the court users are LEP who require language assistance in Spanish. The court greeter program began between 2004 and 2005 after staff noticed that court users were in the wrong departments or court rooms or even courthouses. Court users often missed their cases because of this confusion and then would need to reschedule cases which ultimately became an administrative burden for staff. The bilingual security officers, the first point of contact for court users at the main courthouse, were also getting overwhelmed by court users' questions related to court proceedings of which the officers did not have a complete understanding. Since the program's inception, significantly fewer cases are delayed and the court has noticed a dramatic difference in efficiency and customer satisfaction.[282]

Every morning from about 8:00 am to 9:00 am, someone from the staff stands at the single entrance of the main courthouse mainly to greet and guide court users to their destinations whether it is a particular court room, the Access Center, or a different courthouse. The greeter is also available to answer general questions that a court users might have as they arrive at court. The morning was chosen because the court's calendar starts at either 8:30 am for most cases and 9:00 am for misdemeanors. It is only done in the morning because there are not many cases regularly scheduled in the afternoon. The duty rotates by department as demonstrated by Figure below and each department determines who to send, but most greeters either volunteer for particular days or rotate according to the department's particular schedule.[283]

The schedule shows that the scheduling is done by department. In the afternoons, when there is no longer an official greeter at the front entrance, the bilingual security guards still serve as a court user's first point of contact. Imperial's service-oriented culture is so strong that even the security guards go out of their way to help out when someone looks lost or confused. The security guards help guide the court user to the locations where they need to be and where they can obtain further information if they need it.[284]

[281] Gieck Interview.
[281] *Id*. No other Imperial courthouse needs greeters; the main courthouse needs greeters because it handles numerous cases that vary greatly.
[282] *Id*.
[283] *Id*.
[284] Villalobos Interview.

2. Establishing Bi-national Paralegal Position

One of the major resources available to Spanish-speaking court users at the Access Center is the Bi-national Paralegal. The "Bi-national Paralegal Position" was created to assist Spanish-speaking court users in the Access Center who face legal issues impacted by the bi-national relationship and to provide on-going legal and cultural education to court staff and others. This position formalized the US-Mexican partnership and facilitated the interaction between the entities.[285] To fill the position, the entities sought a Mexican national who was a paralegal familiar with and interested in both the American and Mexican legal systems. They found those qualities in someone who had been closely involved with the US-Mexican partnership when he worked at the Mexican Consulate. He supported the work of the Court and emphasized the importance of the initiatives to the Consulate.[286]

The Bi-national Paralegal helped continue conversations between Imperial, the Baja California courts, and the Baja government. These entities discussed major issues that were common to all. One of the major initiatives that resulted from the discussions was the implementation of the letters rogatory. The letters rogatory, based on the Hague Convention, is a way to accomplish service of process internationally for countries, like Mexico, that participate in the Convention. The Access Center tries to identify and help LEP court users who will need to do service of process in Mexico. Most court users do not understand that the American-style service of process will not work. Court users in the US needing to execute service of process to someone in Mexico must apply through the letters rogatory which the Access Center helps them fill out. Examples from Imperial and San Diego Counties can be found on the Equal Access website at www.courts.ca.gov/partners/1252.htm. The Access Center also provides translations of any of the pertinent forms.

Figure 4-5: Example of Imperial's Signs in

[285] *Id*.

[286] Villalobos Interview. Mr. Villalobos has filled the Bi-national Paralegal Position since the position's inception. Not surprisingly, his background, expertise, and knowledge about the law in the US and Mexico made him a perfect fit for the role which was created with him in mind. He had been closely involved with the US-Mexican partnership when he worked at the Mexican Consulate. He began as an observer of the program given his interest in law and international relations. Mr. Villalobos graduated from law school in Mexicali and afterward worked for the Mexican Ministry of Foreign Affairs. While working for the Mexican Ministry, he was assigned to the Mexican Consulate in Calexico and worked there for 8 years. Mr. Villalobos also studied in the US to become a paralegal. After a period of time, he got more involved with the program. He supported the work of Imperial and emphasized the importance of the initiatives to the Consulate.

Notification through Multilingual Material

1. Posting Spanish Signage

Very helpful to court users at Imperial's main courthouse are the multiple Spanish signs posted throughout the courthouse (see Figure 4-5).[287] The signs are not large, but they are clear and easy to read. The size of the signs does not make a major impact because the courthouse is small. The signs are also posted throughout the courthouse. For example, multiple signs written in Spanish and English directing court users to the Access Center are posted from the main entrance to the door of the Access Center. Bilingual signs leading court users to the Access Center are critical because the Access Center is one of Imperial's most highly frequented departments.

2. Utilizing Technology to Notify LEP Court Users

Imperial is working on using Skype services to communicate with parties in Mexico. Imperial has contacted Mexican authorities to determine whether the Skype services will be useful for LEP court users located in Mexico or the US. This idea originated due to concerns from people who had to cross the border for court purposes – that costs a lot of time and money. It is burdensome to travel to merely fill out a form. Imperial is hopeful that technology will help Imperial staff provide instructions as to how to fill out court forms over Skype or another means of communication rather than obligating court users to travel to obtain the instructions to fill out forms. A potential challenge to implementing this program may be Imperial's Mexican partners lacking the technological means to participate.

Translated Court Forms and Other Documents

1. Providing Translations

Imperial also provides most written information, educational materials, and instructions in Spanish, the predominant language in the courthouse and the County. Many court forms are provided at the courthouses, at Self-Help Law Centers, and online which have been translated by the Judicial Council, Imperial itself, and by other courts. In 2008, Imperial had translated all documents and sent them over to the AOC.[288] Imperial thought it would be easier to have court users fill out the documents in their own language and then translate them into English rather than vice versa. This effort was part of Imperial's goal to increase access to justice for its predominant Spanish-speaking population. The translations are helpful in enabling court users to fill out their forms independently and to enable court users to understand their cases.

[287] Case Study, Superior Court of California, County of Imperial, Site Visit at El Centro Courthouse (May 17, 2012) (hereafter, Imperial Site Visit).
[288] View translations on the Equal Access Project website available at www.courts.ca.gov/partners/53.htm.

Public Outreach and Education

3. Implementing Local Programs to Increase Language Access

In 2005, Imperial's CEO and the Family Law Facilitator sought to improve legal services for Imperial County's Hispanic community because such a high percentage of Hispanics live in Imperial County. The initiative started with an invitation for a few Mexican law students to intern at the courthouse. The interns' duties consisted of conducting workshops and explaining materials to LEP concerning child custody and ward support. The aim was for the Mexican law students to help self-represented Spanish-speaking court users in order to allow the court users to use their first language and understand the legal process in their own language.[289]

Through this initial program, Imperial learned that there were a lot of cases wherein the party would file an action in Imperial County and the opposing party would file for the same action in Mexico. The dual filing created conflicts of jurisdiction and of law. Imperial's leadership decided it would be beneficial to collaborate with courts in Baja to brainstorm solutions together to solve their mutual problems. The courts held a bi-national meeting with leaders representing the Consulate in Calexico, the Imperial courts and the Baja courts.[290] These meetings led to the forging of strong ties between the Court, the Consulate, other entities in Mexico and the US. This comprehensive collaboration has resulted in numerous successful language access initiatives.

4. Working with the Consulate

Establishing partnerships with external agencies enables the court to broaden the scope of services the court can provide by relying on the other agencies to provide the services and hence minimizing expenses for the court. A critical relationship that Imperial has developed is the partnership with the Mexican Consulate in Calexico. These agencies, for example, can refer litigants to each other. This is very helpful to court users because Imperial County is an isolated area where it is difficult to obtain resources. Imperial welcomes the Consulate itself and its users to call court staff with questions and the Consulate in turn invites Imperial's court users to call the Consulate with questions.[291] When the Consulate implemented a "mobile Consulate" service to ease the difficulty of traveling to Calexico given problems with the border patrol and limited financial resources, Imperial's Access Center supported the program by promoting it to court users.[292]

Imperial and the Consulate also share information to help train and teach each other about a variety of common issues that may be inter-jurisdictional. Imperial has provided trainings to Consulate staff about various documents dealing with divorce, child support and custody.

[289] Villalobos Interview.
[290] *Id*.
[291] Yoo Interview.
[292] Villalobos Interview. In early 2012, because of the successful partnership Calexico and Imperial have, the Consulate in Calexico encouraged Officials in Mexico City to encourage similar partnerships elsewhere.

Because one of the major duties of the Consulate is to best represent the interests of Mexican nationals, this training and the collaboration in general, helped staff on both sides understand the judicial process of California in terms of family issues while the Consulate obtained a better understanding of the interests of Mexican nationals living in the US.[293]

5. Establishing Formal Commitments

As a result of the discussions facilitated by the Bi-national Paralegal program, a Memorandum of Understanding (MOU) was developed between the Consulate and Imperial to memorialize the programs through which family law related trainings would be provided to judicial officers and state political officers. A major aim of the MOU was to share information about each country's laws and legal system such as how to establish custody in Baja versus California. The Mexican officers would learn about US and CA law while the US officers would learn about Mexican law. The MOU also designated particular agencies to register and enforce family law judgments in Baja and in Imperial.[294]

Another benefit from discussions based on the MOU between the US and Mexican entities, has been gaining an understanding of how each country structures the names of court users from Mexico. The structure of names creates challenges when individuals are dealing with the other country and need to use birth certificates, marriage licenses, death certificates and other official documents containing people's names. In Mexico, a person's name may be registered on paper as "Maria de Los Angeles Ramos Silva," but in the US this same person would be known as Maria Silva. Consequently, the varying name structures (how many names are included on a form) could lead to much confusion because a person could be thought to be two different people because of the varying name structures.

Due to the MOU, the Baja and Imperial courts shared information about name structures – In California, names are structured according to the Health and Safety Code, while in Mexico the structure is based on the Civil Code. The differences along with an explanation were written out and now an explanation can be provided as part of the court user's documentation sent to Mexican entities.

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[293] Villalobos Interview.
[294] *Id*.

GLOSSARY

Administrative Office of the Courts (AOC) – The entity in California charged with staffing the Judicial Council and implementing Judicial Council's policies, including policies relating to language access and interpreters.

American Bar Association (ABA) – Founded in 1878, the ABA is committed to supporting the legal profession with practical resources for legal professionals while improving the administration of justice, accrediting law schools, establishing model ethical codes, and more. Membership is open to lawyers, law students, and others interested in the law and the legal profession.

Bilingual – Using or knowing two languages proficiently.

Bilingual Staff – Individuals who are proficient in English and another language and who communicate directly with an LEP individual in their common language. This term is intended to be read broadly to include individuals who are proficient in multiple languages.

California Bar Association – Founded in 1990, the California State Bar Foundation is a 501(c)(3) nonprofit organization affiliated with the State Bar of California, dedicated to building a better justice system for all Californians. The Foundation distributes grants to nonprofit organizations, courts, and bar associations for law-related projects; awards scholarships to law school students committed to public service; promotes and encourages the philanthropic and charitable efforts of California's lawyers; and supports an array of other education and outreach programs.

Certification – The determination, through standardized testing, that an individual possesses certain knowledge, skills, and abilities.

Competency Assessment – The testing of qualifications, such as language competency.

Court-annexed Proceedings – Court proceedings which are managed by officers of the court or their official designees.

Court-mandated Services (also referred to as court-ordered services) – These are pre- or post-adjudication services or programs that are required of court users in connection with a civil or criminal matter. Court-mandated services include treatment programs, evaluations, supervision, and other services required by the court.

Court-offered Services – These are pre- or post-adjudication services or programs that are offered to court users to resolve a civil or criminal matter. Court-offered services may include

alternative sentencing, alternative dispute resolution, mediation, arbitration, treatment programs, workshops, information sessions, evaluations, treatment, and investigations.

Court Staff – Court-managed, -supervised, or -employed individuals who work in court services and programs.

Court Services – The full range of court functions, including legal proceedings and other court-operated or managed offices with points of public contact. Examples of such services include information counters; intake or filing offices; cashiers; records rooms; self-help centers; and other similar offices, operations, and programs.

Credentialing – The process of establishing, through training and testing programs, the qualifications of an individual to provide a particular service, which designates the individual as qualified, certified, licensed, approved, registered, or otherwise proficient and capable.

Cultural Competence – A set of congruent behaviors, attitudes, and policies that come together in a system, agency, or among professionals that enables effective work in cross-cultural situations.

Interpreter – A person who is fluent in both English and another language and who listens to a communication in one language and orally converts it into another language while retaining the same meaning.

Interpreter by Classification:

Certified Court Interpreter – An individual who has the ability to preserve the "legal equivalence" of the source language, oral fluency in English and the foreign language; the skill to interpret in all three modalities (simultaneous, consecutive, and sight translation); and the knowledge of the code of professional conduct; and whose ability, skill, and knowledge in these areas have been tested and determined to be meet the minimum requirements for certification by the court. In California, a certified court interpreter is an interpreter who has passed the Court Interpreter Certification Examination in one of California's 14 designated languages: Arabic, Eastern Armenian, Cantonese, Khmer, Korean, Mandarin, Portuguese, Punjabi, Russian, Spanish, Tagalog, and Vietnamese and has fulfilled Judicial Council requirements. The certification exam consists of an English- only written exam and a bilingual oral interpreting exam in English and the designated language.

Registered or Qualified Court Interpreter – In California, a registered interpreter is an interpreter of a spoken language other than the 14 designated languages, for which there is no state certifying bilingual oral interpreting exam. Registered interpreters are required to pass an English-only written exam and an English oral proficiency examination and fulfill Judicial Council requirements. A qualified interpreter is someone

who is not certified or registered, but has been evaluated by adequate alternate means to determine his or her qualifications and language proficiency.

Interpretation – The unrehearsed transmitting of a spoken or signed message from one language to another.

Interpreter Services – The services provided by professional, competent interpreters, including those provided for legal proceedings and services outside of the courtroom.

Judicial Officer – A duly authorized person vested with the authority to exercise powers appropriate to the court, which may include judges, magistrates, masters, commissioners, and other official decision makers.

Language Access – The provision of the necessary services for LEP persons to access the service or program in a language they can understand, and to the same extent as non-LEP persons.

Language Access Services – The full spectrum of language services available to provide meaningful access to the programs and services for LEP persons, including, but not limited to, in-person interpreter services, telephonic and video remote interpreter services, translation of written materials, and provided by bilingual staff.

Limited English Proficiency (LEP) Plan – A written plan used to implement the language access services of a court, which includes the services that are available, the process to determine those services, the process to access those services, and all of the components of a comprehensive system. National variation exists regarding the name of this plan; some refer to a "language assistance plan" and others to a "policy for providing services to LEP persons" or a "Language Access Plan."

Language of Lesser Diffusion – A language with low representation within a jurisdiction and for which interpreter services, translation services, and adequate language-specific training is largely unavailable or very limited.

Language Service Providers – A person or entity who provides qualified court interpreting services, bilingual assistance, and translation services for individuals who are limited English proficient.

Legal Proceeding – Court or court-annexed proceedings under or by the authority of a judicial officer, including proceedings handled by judges, magistrates, masters, commissioners, hearing officers, arbitrators, mediators, and other decision-makers.

Limited English-Proficient Person (LEP) – Someone who speaks a language other than English as his or her primary language and has a limited ability to read, write, speak, or understand English.

Machine Translation – Software that automatically translates written material from one language to another without the involvement of a human translator or reviewer.

Majority or Plurality Language – A language is a majority or plurality language if more than 40 percent of California's LEP speakers in that language reside in the region.

Meaningful Access – The provision of services in a manner which allows a meaningful opportunity to participate in the service or program free from intentional and unintentional discriminatory practices.

Other Than Spanish Language (OTS) – A way to refer to languages except for Spanish which is the overwhelming dominant language throughout California.

Plain Language – Communication that members of an audience can understand the first time it is read or heard.

Points of Public Contact – Sites at a courthouse where court users come in contact and may interact with court staff.

Recipient of Federal Financial Assistance – Recipients of federal funds range from state and local agencies, to nonprofits and other organizations. A list of the types of recipients and the agencies funding them can be found at Executive Order 12250 Coordination of Grant-Related Civil Rights Statutes. Sub-recipients are also covered, when federal funds are passed from one recipient to a sub-recipient. Federal financial assistance includes grants, training, use of equipment, donations of surplus property, and other assistance.

Register – The level and complexity of vocabulary and sentence construction.

Relay Interpreting – Involves using more than one interpreter to act as a conduit for spoken or sign languages beyond the understanding of a primary interpreter.

Relay Interpreter – An interpreter who interprets from one foreign language or sign language to another foreign language or sign language, and vice versa. Another interpreter then interprets from the second language into English, and vice versa. This is also referred to as an intermediary interpreter.

Secondary Concentration – A region has a secondary concentration of a language group if between 20 to 40 percent of the residents speak that language.

Service Day – A service day occurs when an employee or contractor completes an assignment to interpret one or more court proceedings (includes full, half-day, and night sessions).

Source Language – The language of the original speaker, which the interpreter interprets into a second language. This term is always relative, depending on who is speaking.

Target Language – The language of the listener, into which the interpreter renders the interpretation from the source language. This term is always relative, depending on who is listening.

Translation – Converting written text from one language into written text in another language. The source of the text being converted is always a written language.

Sight Translation – A hybrid of interpreting and translating in which the interpreter reads a document written in one language while translating it orally into another language, without advance notice.

Translator – An individual who is fluent in both English and another language and who possesses the necessary skill set to render written text from one language into an equivalent written text in another language.

APPENDIX A: Interview Questions

Date:	**Name(s):**
County / Region:	**Title:**
Courthouse:	**Contact Info:**

Expert's Background:

- How are you involved in the Court's language access initiatives and LEP services?

- How long have you been in your current position?

Existing Practices / LEP Plan:

- Is court's LEP Plan posted on the court's website?

- Practices Listed in LEP Plan (review prior to interview):
  - Are the practices described above still in place?
  - Which of these practices do LEP court users take advantage of most?
  - Which would you describe as the most effective?

- Specific Practices:
  - For what departments and/or for what types of cases does the court most frequently use court interpreters?
  - If remote interpreting services are used, are there particular trends in usage (specific languages or case types)?
  - Does the court require bilingual skills for some public contact positions? If so, for which positions?
  - Does the court specifically recruit bilingual individuals in general and/or for particular positions?
  - Are there particular locations or departments in the courts where bilingual specialists are used?
  - Are there particular languages for which the court provides bilingual specialists?
  - Do bilingual employees and specialists receive a pay differential? If so, how much is that differential?
  - What types of outreach efforts does the court use to notify LEP court users of services?

- Has the Court developed any new practices or programs for providing language access services since the Plan was last updated?
  - Can you describe how those practices were developed?
  - Have the new services been successful?

Language groups:

- What LEP populations does the Court serve?

- Have you seen any changes in this pattern since the plan was prepared?

Demand by program:

- Do you have a sense of which divisions or programs have the most demand for LEP services?

- How does the court determine whether to offer information and services in languages other than English? Check all that apply:
    - During public contact, staff formally track languages spoken by residents
    - Staff observe and informally note languages spoken
    - The city/county researches U.S. Census data on the local population
    - The city/county surveys public contacts
    - Other (specify)

- Does the court provide different solutions for different languages? (e.g. Bilingual staff for Spanish and use of Language Line for less common languages?)

- How does the court address LEP needs for court users in new or less common languages?

Data Collection and Program Evaluation:

- Does your court have data collection procedures to track any of the following language access services:
    - language access use in the court
    - use of interpreters
    - use of telephonic services, such as Language Line or other vendor
    - use of bilingual specialists
    - language groups served
    - groups that most frequently use language access services
    - demand of language access services per programs

- What other type of data, if any, is collected?

- What data collection tool(s) does the court use?

- How frequently is data collected?

- Does the court have any analysis of the cost benefits of a particular language access process (leads to fewer continuances, improved calendaring, etc.)?

- Are there any efficient practices utilized in the Court now that could be modified to support language access initiatives? Check all that apply:
    - o Case management systems
    - o Collaborative efforts with justice partners
    - o Use of technology
    - o Other_____

Best practices more broadly:

- Of the language access methods mentioned throughout the survey, which practices and/or parts of processes seem to be the most effective in assisting LEP court users?

- Has the court received any recognition or honors for any of its language access practices? If so, please describe the honor and recognition and the practices that have been recognized.

- Are there programs or practices the Court has considered but not implemented?

- Are there programs or practices you have heard about in other courts or in other jurisdictions that you think would be promising to implement at the Court?

Closing: Thank you for your time. If you think of anything relevant to our study or have questions about the study, you can contact me through the PLRI office by leaving a message at (415) 581-8808. We appreciate your time and input, and look forward to providing you with a copy of our report when it is completed.

APPENDIX B: On-line Survey

Survey: Enhancing Language Access Services for California Court Users

1. Background

*1. Please tell us about yourself and your position with the court. Please include your contact information if you would be willing to address follow-up questions about your answers.

Name (optional):

Position:

County:

Division / Branch:

Email address (optional):

Phone Number (optional):

Survey: Enhancing Language Access Services for California Court Users

2. Enhancing Language Access Services

2. Please list the 3 foreign languages most frequently spoken by LEP users of your court. First (most frequent) language:

3. Second language:

4. Third language

5. What language services does your court provide for each language?

	[Q2]	[Q3]	[Q4]
Interpreters (mandated Proceedings)	e	e	e
Interpreters (non-mandated Proceedings)	e	e	e
Bilingual speakers on site	e	e	e
Bilingual speakers via telephone	e	e	e
Translated forms	e	e	e
Other translated materials (brochures, legal information, etc.)	e	e	e
Multilingual Signage	e	e	e
Workshops	e	e	e
DVDs about court processes	e	e	e
Telephone menu with language options	e	e	e
Web site in multiple languages	e	e	e
Please provide descriptions for answers above (types of translated forms, topics of workshops, etc.)			

Survey: Enhancing Language Access Services for California Court Users

6. Please indicate the language services available to these court services or programs

	Interpreters (on site)	Bilingual speakers (on site)	Remote assistance (video or phone)
Front desk or service counters			
Self-Help Center			
Family Law Facilitator Office			
Family Court Services Mediator			
Other ADR or Mediation Programs			
Court Mandated or Annexed Programs (parenting, anger Management, or DUI classes)			
Other (please specify)			

7. Please describe any procedures your court has adopted to use interpreters efficiently (e.g. batching cases, calendaring procedures, use of remote technology).

8. If your court provides interpreters for incidental use in non-mandated proceedings, please describe how the interpreters are used.

9. Please describe any use of DVDs, online videos, or other means of communication technology in languages other than English to inform LEP court users about court programs, services or processes.

Survey: Enhancing Language Access Services for California Court Users

10. The survey's goal is to identify creative ways courts respond to the demand for language access. If your court has effective strategies for providing language access that the survey did not address, please describe.

Survey: Enhancing Language Access Services for California Court Users

3. Thank you!

Thank you for your participation. If you would like more information about this grant-funded project, or if you have information about language access services not addressed in this survey, please contact us by email at:

LEPsurvey@uchastings.edu

Thank you for your time and cooperation in this important initiative.

Noemi Gallardo, Graduate Research Fellow
Professor David Jung
UC Hastings College of the Law
Public Law Research Institute

APPENDIX C: Observation Tool Template

ON-SITE VISIT OBSERVATION TOOL

Date:	**Name(s):**
County/Region:	**Title:**
Courthouse:	**Contact Info:**

Initial Contact

1) Is there a language access point of contact for LEP court users upon entering the court?
□No □Yes

If yes, please answer questions a - b below. Check all boxes that apply and include comments at the end of each section.

a) What is an LEP court user's first language access point(s) of contact at the court?

□Multilingual signs	□ Bilingual greeters	□ Bilingual security officers
□Other / Please specify:		

b) In what language(s) are these points of contact provided?

□Spanish	□Vietnamese	□Korean	□Mandarin	□Russian	□Tagalog
□Other / Please specify:					

Additional Comments:

Signage

2) Is signage at the court provided for LEP court users? □No □Yes

If yes, please answer questions a - c below. Check all boxes that apply and include comments at the end of each section.

a) What information do the signs provide?

□General court info.	□Directions to area(s)	□Interpreter info.	□Greetings
□Other / Please specify:			

b) In what languages are the signs provided?

□Spanish	□Vietnamese	□Korean	□Mandarin	□Russian	□Tagalog
□Other / Please specify:					

c) Where are signs located?

□Entrance	□Lobby	□Court room	□Self Help Center
□Other / Please specify:			

Additional Comments:

Documents

3) Are translated documents provided at the court? □No □Yes

If yes, please answer questions a - c below. Check all boxes that apply and include comments at the end of each section.

a) What types of information do the documents provide?

□Local court info.	□Event/Activity info.	□Dept. info.	□AOC Info.
□Other / Please specify:			

b) In what languages are the documents provided?

□Spanish	□Vietnamese	□Korean	□Mandarin	□Russian	□Tagalog
□Other / Please specify:					

c) Where are the documents located?

□Entrance	□Lobby	□Court room	□Self Help Center
□Other / Please specify:			

Additional Comments:

Personnel

4) Does bilingual court staff interact with LEP court users? □No □Yes

If yes, please answer questions a - b below. Check all boxes that apply and include comments at the end of each section.

a) Where is the staff located?

□Entrance	□Lobby	□Court room	□Front counters	□Self Help Center
□Other / Please specify:				

b) What languages does the staff speak?

□Spanish	□Vietnamese	□Korean	□Mandarin	□Russian	□Tagalog
□Other / Please specify:					

Additional Comments:

5) Does the court have court interpreters available? □No □Yes

If yes, please answer questions a - d below. Check all boxes that apply and include comments at the end of each section.

a) Where are interpreters provided?

□ Specific depts./divisions	□Court room	□Telephone	□Self Help Center
□Other / Please specify:			

b) What languages do the interpreters speak?

□Spanish	□Vietnamese	□Korean	□Mandarin	□Russian	□Tagalog
□Other / Please specify:					

c) To what assignments are interpreters assigned?

□ Mandated proceedings	□Non-mandated as available	□ Front counters as needed	□ Translations	□Self Help Center
□Other / Please specify:				

Additional Comments:

Other Communication

6) Does the court use other means to interact with LEP court users? □No □Yes

If yes, please answer questions a - c below. Check all boxes that apply and include comments at the end of each section.

a) What other means does the court use?

□Electronic monitors	□ "I Speak" cards	□Telephone	□Verbal announcements	□Videos or audio recordings
□Other / Please specify:				

b) In what language(s) is the additional interaction provided?

□Spanish	□Vietnamese	□Korean	□Mandarin	□Russian	□Tagalog
□Other / Please specify:					

c) Where are these other means located?

□Entrance	□Lobby	□Court room	□Self Help Center	□Videos or audio recordings
□Other / Please specify:				

Additional Comments:

Data Collection/Assessment

7) Does the court track which language access services are used? □No □Yes

If yes, please answer questions a - b below. Check all boxes that apply and include comments at the end of each section.

a) Which services does the court track?

□Use of court interpreters	□Use of service counters	□Contact with specific depts.	□Contact with Self Help Center	□Use of Language Line
□Other / Please specify:				

b) What data collection tool(s) does the court use to track this information?

□Informal tracking	□ Local tracking	□AOC system
□Other / Please specify:		

Additional Comments:

8) Does the court provide a means for LEP court users to provide comments to the court?
□No □Yes

If yes, please answer questions a - b below. Check all boxes that apply and include comments at the end of each section.

a) What means are available?

□Suggestion box/ Comment cards	□Surveys	□ Email
□Other / Please specify:		

b) In what language(s) is the additional interaction provided?

□Spanish	□Vietnamese	□Korean	□Mandarin	□Russian	□Tagalog
□Other / Please specify:					

Additional Comments:

APPENDIX D: AOC's Customizable LEP Plan Template

Superior Court of XYZ County (see instruction #1)

Limited English Proficiency (LEP) Plan

I. Legal Basis and Purpose (see instruction #1)

This document serves as the plan for the Superior Court of XYZ County 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 Superior Court of XYZ County.

This LEP plan 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 California provides court services to a wide range of people, including those who speak limited or no English. Service providers include the California Supreme Court, the Courts of Appeal, and the superior courts of the 58 counties.

According to the Administrative Office of the Courts (AOC) Court Interpreter Data Collection System (CIDCS), which aggregates court interpreter usage data received from the California trial courts, the most frequently used languages for interpreters in California courts in 2005 were (in descending order of frequency):

1. Spanish
2. Vietnamese
3. Korean
4. Armenian
5. Mandarin

B. Superior Court of XYZ County (see instruction 2)

The Superior Court of XYZ County will make every effort to provide services to all LEP persons. However, the following list shows the foreign languages that are most frequently used in this court's geographic area.

1. [insert your five or fewer top languages from the "Lang Sum.xls" file.]
2.
3.
4.
5.

This information is based on data collected from [cite either one or both references or the source of other data, as correct for your court: (the AOC's Court Interpreters Data Collection System and United States Census Bureau data for California)].

III. Language Assistance Resources

A. Interpreters Used in the Courtroom

1. Providing Interpreters in the Courtroom (see instruction 3)

Providing spoken-language interpreters in court proceedings are based in whole or in part on statutory and case law. These are set out in Attachment A. In the Superior Court of XYZ County, interpreters will be provided at no cost to court customers who need such assistance under the following circumstances:

- For litigants and witnesses in criminal hearings;
- For litigants and witnesses in juvenile hearings;
- For litigants and witnesses in hearings involving domestic violence and elder abuse, family law and child support cases, to the extent that funding is provided; and,
- For litigants who need assistance when using family court services, to the extent that funding is provided.

Responsibility for the cost for spoken-language interpreters for litigants and witnesses in other civil proceedings will be determined at the discretion of the officiating judge. Additionally, courts may use interpreters who are providing mandated intepreting services for issues such as criminal or juvenile cases for incidental use in civil courtrooms. The Superior Court of XYZ County recognizes the significant benefits to both the public and the court by providing interpreters in civil cases and will attempt whenever possible to provide such intepreters through incidental use. [Your court should note if there are instances when it provides interpreters in small claims and other matters incidentally or from other funding.]

2. Determining the Need for an Interpreter in the Courtroom

The Superior Court of XYZ County may determine whether an LEP court customer needs an interpreter for a court hearing 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 counter staff, self-help center staff, family court services, or outside justice partners such as [(list any that apply) probation/parole officers, attorneys, social workers or correctional facilities] (see instruction 4).

The need for an interpreter also may be made known in the courtroom at the time of the proceeding. The Superior Court of XYZ County will display a sign translated into the five most frequently used languages that states: "You may have the right to a court-appointed interpreter in

a court case. Please check with a court employee for assistance." The Superior Court of XYZ County will display this sign at the following locations: [insert location descriptions here] (see instruction 5).

Also, the judge may determine that it is appropriate to provide an interpreter for a court matter. California's Standards of Judicial Administration offer instruction to judges for determining whether an interpreter is needed. Section 2.10 provides that an "interpreter is needed if, after an examination of the party or a witness, the court concludes that: (1) the party cannot understand and speak English well enough to participate fully in the proceedings and to assist counsel, or (2) the witness cannot speak English so as to be understood directly by counsel, court, and jury." The court is directed to examine the party or witness "on the record to determine whether an interpreter is needed if: (1) a party or counsel requests such examination or (2) it appears to the court that the person may not understand or speak English well enough to participate fully in the proceedings."

To determine if an interpreter is needed, standard 2.10(c) provides that "the court should normally ask questions on the following: (1) identification (for example: name, address, birth date, age, place of birth); (2) active vocabulary in vernacular English (for example: 'How did you come to the court today?' 'What kind of work do you do?' 'Where did you go to school?' 'What was the highest grade you completed?' 'Describe what you see in the courtroom.' 'What have you eaten today?' Questions should be phrased to avoid 'yes' or 'no' replies; (3) the court proceedings (for example: the nature of the charge or the type of case before the court), the purpose of the proceedings and function of the court, the rights of a party or criminal defendant, and the responsibilities of a witness."

Standard 2.10(d) calls on the court to state its conclusion on the record regarding the need for an interpreter. "The file in the case should be clearly marked and data entered electronically when appropriate by court personnel to ensure that an interpreter will be present when needed in any subsequent proceeding."

Many people who need an interpreter will not request one because they do not realize that interpreters are available or because they do not recognize the level of English proficiency or communication skills needed to understand the court proceeding. The court does not have funding to provide interpreters for non-mandated proceedings. However, the court can provide some assistance within existing funding restrictions and will endeavor to do so for non-mandated proceedings.

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. [Note: The AOC will soon be developing a generic continuance form that will be translated into several frequently used languages and will be providing them to the trial courts for their use. Use of the form will be elective.]

When an interpreter is unavailable for a case in which the court is not mandated to provide one, the court takes the following actions. [List the action or possible actions that the court might take in this situation.]

2. Court Interpreter Qualifications

The Superior Court of XYZ County hires interpreters for courtroom hearings in compliance with the rules and policies set forth by Government Code section 68561 and California Rules of Court, rule 2.893. The AOC maintains a statewide roster of certified and registered interpreters who may work in the courts. This roster is available to court staff and the public on the Internet at *www.courtinfo.ca.gov/programs/courtinterpreters/master.htm*.

When an interpreter coordinator has made a "due diligence" effort to find a certified or registered court interpreter and none is available, the interpreter coordinator then seeks a noncertified, nonregistered court interpreter, in accordance with the governing local labor agreement. Whenever a noncertified interpreter is used in the courtroom, to either provisionally qualify the interpreter or find cause to permit him or her to interpret the proceeding, judges must, pursuant to rule 2.893, inquire into the interpreter's skills, professional experience, and potential conflicts of interest. A provisionally qualified interpreter is one who, upon findings prescribed in the rule, is designated by the judge as eligible to interpret in a criminal or juvenile delinquency proceeding for a period of six months.

B. Language Services outside the Courtroom

The Superior Court of XYZ County is also responsible for taking reasonable steps to ensure that LEP individuals have meaningful access to services outside the courtroom. This is perhaps the most challenging situation facing court staff, because in most situations they are charged with assisting LEP individuals without an interpreter present. LEP individuals may come in contact with court personnel via the phone, the public counter, or other means (see instruction 6).

The two most common points of service outside the courtroom are at the court's public counters and self-help center. Bilingual assistance is provided at the public counter by the placement of bilingual staff as is practical. The court also periodically calls on other bilingual staff from elsewhere in the court to assist at a public counter. Similarly, the court's self-help center recruits and employs bilingual staff to provide self-represented litigants with assistance in understanding and completing necessary forms.

Providing language services outside the courtroom entails both daily communications and interactions between court staff and LEP individuals to provide accessibility of court services, such as self-help and mediation services to LEP court users.

To facilitate communication between LEP individuals and court staff, the Superior Court of XYZ County uses the following resources to the degree that resources are available [modify the list below to show those that apply]: (see instruction 7):

- Court interpreters, to the extent permitted under the active memorandum of understanding or independent interpreter contract;
- Bilingual employees;
- Bilingual volunteers;
- A court Web site with key pages translated into [list languages];
- "I Speak" cards, to identify the individual's primary language;
- Written information in [list languages] on how to access and navigate the court;

- Multilingual signage throughout courthouse locations in the following languages: [list languages];
- Language Line services, which are available to provide assistance in the clerk's office and at the court's self-help center. The Language Line contract services provides interpretation services via the telephone in over 170 languages; and,
- A court public phone line with key instructions provided in [list languages] to request court services.

To provide linguistically accessible services for LEP individuals, the Superior Court of XYZ County provides the following: [modify the list below to show those that apply]:

- Self-help center services that include [list those that apply, including any not on this list, such as: bilingual self-help center staff, telephonic language assistance, and volunteers that provide self-help services to LEP persons in their primary language];
- Workshops in [list languages] regarding [list topics, e.g., dissolution, small claims, etc.];
- Bilingual family court services mediators for custody and visitation matters;
- Joint workshops between self-help center staff and community service providers serving LEP populations; and,
- Written informational and educational materials and instructions in [list languages or state: "multiple languages"].

C. Translated Forms and Documents

The California courts understand the importance of translating forms and documents so that LEP individuals have greater access to the courts' services. The Superior Court of XYZ County currently uses Judicial Council forms and instructional materials translated into commonly used languages.

- These translated forms are available at the court's Web site for internal use and are available to the public at *www.courtinfo.ca.gov/selfhelp/languages* as well as at the court's self-help center;
- The court also has access to instructional materials that have been translated by other courts at *www.courtinfo.ca.gov/programs/equalaccess/trans.htm*.
- The court has translated the following documents into other languages (see instruction 8):

  [List the names of documents and the languages in which it is available.]

  These documents will be located [cite physical location and/or online address].

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 (see instruction 9)

A. Recruitment of Bilingual Staff for Language Access

The Superior Court of XYZ County is an equal opportunity employer and recruits and hires bilingual staff to serve its LEP constituents. Primary examples include but are not limited to:

- Court interpreters to serve as permanent employees of the court;
- Bilingual staff to serve at public counters;
- Bilingual staff in the court's self-help centers; and,
- Bilingual staff members who are on call to assist with contacts from LEP individuals, as needed.

B. Recruitment of Volunteers for Language Access

The court also recruits and uses volunteers to assist with language access in the following areas: [modify the list below to show those that apply, if any]:

- In self-help centers, to assist LEP users;
- At public counters to provide interpretive services between staff and the LEP public; and
- To serve as interpreter trainees by helping LEP individuals in areas outside of the courtroom, to develop skills in preparation for the certified interpreter examination.

V. Judicial and Staff Training (see instruction 10):

The Superior Court of XYZ County is committed to providing LEP training opportunities for all judicial officers and staff members. Training and learning opportunities currently offered by the Superior Court of XYZ County will be expanded or continued as needed. Those opportunities include [List additional trainings that apply to your court and delete any that don't. You might also want to list new trainings that will be coming up during the first year of the plan.]

- Interpreter coordinator training;
- Diversity Training;
- Cultural competency training;
- LEP plan training;
- Staff attendance in Spanish and [insert language(s), if applicable] training, provided by the court in partnership with local colleges and institutions to offer these classes on site and free to employees on court time, or through tuition reimburse;
- Statewide conferences on language access or conferences that include sessions dedicated to topics on language access;
- New employee orientation training; and,
- Judicial officer orientation on the use of court interpreters and language competency.

VI. Public Outreach and Education (see instruction 11)

To communicate with the court's LEP constituents on various legal issues of importance to the community and to make them aware of services available to all language speakers, the Superior Court of XYZ County provides community outreach and education and seeks input from its LEP constituency to further improve services. Outreach and education efforts include: [modify the list below to show those that apply]:

- Public service announcements in [insert language(s)], provided [daily/periodically/ monthly] through local [television/radio/newspapers]. Examples of the type of announcements include radio spot announcement on court access issues or legal tip of the day, provided in Spanish; [list all that apply: (radio/print/flyers/mailers)] on the availability of self-help center services and public workshops; and,
- Partnerships and collaborations with [pick all that apply: (community service centers/bar associations/governmental social service providers/volunteer organizations/public libraries)] to provide a court presence in the LEP community. The court will solicit input from the LEP community and its representatives through [focus groups/meetings] and will seek to inform community service organizations on how LEP individuals can access court services.

VII. Public Notification and Evaluation of LEP Plan

A. LEP Plan Approval and Notification

The Superior Court of XYZ County's LEP plan is subject to approval by the presiding judge and court executive officer. Upon approval, a copy will be forwarded to the AOC, LEP Coordinator. 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 Superior Court of XYZ County's LEP plan will be provided to the public on request. In addition, the court will post this plan on its public Web site, and the AOC will post a link to it on the Judicial Council's public Web site at *www.courtinfo.ca.gov*.

B. Annual Evaluation of the LEP Plan

The Superior Court of XYZ County will routinely assess whether changes to the LEP plan are needed. The plan may be changed or updated at any time but reviewed not less frequently than [once a year] (see instruction 12).

[Each year] the court's [insert responsible position or program] will review the effectiveness of the court's LEP plan 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 [modify the list below to show those that apply]:

- Number of LEP persons requesting [court interpreters] [language assistance];
- Assessment of current language needs to determine if additional services or translated materials should be provided;
- Solicitation and review of feedback from LEP communities within the county;

- 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,
- Customer satisfaction feedback.

C. Trial Court LEP Plan Coordinator:
[Insert local contact information]

D. AOC LEP Plan Coordinator:
Mark Garcia
Senior Court Services Analyst
Equal Access Program
Administrative Office of the Courts
455 Golden Gate Avenue
San Francisco, CA 94102-3688
(415) 865-4367, mark.garcia@jud.ca.gov

E. LEP Plan Effective date: [fill in date]

F. Approved by:

Presiding Judge: [_____] Date: [_____]

Court Executive Officer: [_____] Date: [_____]

APPENDIX E: Superior Court of California, County of Imperial, Court User Survey in Spanish

Superior Court of California, County of Imperial

Cuestionario de Servicio al Cliente

Misión:
Proveer justicia de manera equitativa y justa para inspirar confianza y fe en el sistema legal; y servir al público con cortesía, respeto, integridad, profesionalismo, y eficiencia.

Solicitamos su ayuda y comentarios para poder mejorar nuestro servicio al usuario. Por favor conteste las siguientes preguntas.

1. Fecha:_____ Hora:_____ de su visita

2. ¿Cuanto tiempo le tomo en localizar el departamento que buscaba?
   ☐Inmediatamente
   ☐2-5 minutos
   ☐6 o mas minutos

3. ¿Cuanto tiempo paso para que nuestro empleado reconociera su presencia?
   ☐Inmediatamente
   ☐2 - 5 minutos
   ☐6 - 10 minutos
   ☐10 o mas minutos

4. ¿Cuanto tiempo le tomo para terminar su tramite?
   _____ minutos

5. ¿Cuantas veces visito la corte para arreglar su asunto?_____

6. Por favor califique el servicio que recibió de nuestros empleados:

	Excelente	Bueno	Bajo	Malo
Rapidez:	☐	☐	☐	☐
Cortesía:	☐	☐	☐	☐
Información Adecuada y Correcta:	☐	☐	☐	☐
Aspecto Profesional	☐	☐	☐	☐

Comentarios:
_____
_____
_____

Por favor deposite este cuestionario en la caja de comentarios antes de salir. ¡Gracias por ayudarnos a mejorar nuestro servicio al usuario!

Main Courthouse

APPENDIX F: Superior Court of California, County of Alameda, Language Access Initiatives, 2007 – 2009

One of the goals and missions of Alameda Superior Court is to provide equal access to all residents. Equal access should be implemented to ensure quality of service and increase the public's confidence in the court. Language access is a widespread barrier that needs to be addressed in the court. This barrier not only needs to be addressed in the courtroom, but as soon as a court user walks through the doors. In Alameda County, there are many people who experience language access barriers to court services, not only when in front of a judge, but in front of court staff. While the population grows in diversity, it becomes imperative that the court recognizes the changing needs of the county.

Census data shows 26% of the county residents are foreign born. Also, according to census information, more than one-third of the population speaks a language other than English at home. With 16 major languages in Alameda County, and thousands of court clients seen every day, a significant proportion of the population will go un-served unless the court makes language access a priority. The California Commission on Access to Justice has reported that nearly seven million Californians cannot access the courts due to language difficulties. These court clients are having language access issues from the front door to the courtroom door to any other area in the court.

Since 2007 the Court has taken steps to address the need for language access. Through grant funding resources, the Court has dedicated resources to overcome the barrier of language and to provide access to court users. The court has developed cultural competency training for its employees who interact with LEP court users every day. Alameda County has a unique opportunity to use bilingual/multilingual staff to communicate with litigants who speak a different language; and the staff knows the court very well and can communicate effectively. While court interpreters, are useful in the court they are not the sole provider of language access to litigants. We need to rely on capable frontline staff that can provide the same level of service in different areas outside of the courtroom.

A. Multilingual Holiday Signs January 2007

The court paid for the translation of holiday signs in eight languages. These signs are posted at court sites throughout the County of Alameda prior to every holiday. The Court has done this continuously since 2007.

B. Training for Bilingual Employees January 2007

The Court has a unique opportunity to use bilingual staff to communicate with litigants who speak a different language. To support this training was provided to bilingual employees who have been identified by their receiving a payment differential on their paychecks. On January 10 to January 11, 2007, twenty seven participants were trained in cultural competency and service to Limited English Proficient speakers. Language411 provided handouts and a reader for employees to become familiar with its use. The training examined the roles, ethics, and practices, assessed the level of bilingual skills, and the benefits of being bilingual. It also strived to discuss the difference between the Common law system and the Civil law systems and distinguish the court system from other countries.

C. Cultural Competency Training – March 2007

Funds from an Administrative Office of the Courts Regional Office Opportunity Award funded cultural competency training to 44 employees at two courthouse locations. The four hour workshops focused on providing a better understanding to court employees who work with limited English proficient court users. The workshop explained differences that exist for not proficient English speakers who have different cultural and legal traditions.

D. Bilingual Dictionaries – June 2008

To follow up on the bilingual employee training of January 2007, 55 bilingual legal dictionaries were purchased for the bilingual employees at the Court. The dictionaries were English/Spanish and English/Chinese.

E. Multilingual Courthouse Signage – July 2008

The Superior Court of California, County of Alameda partnered with the Administrative Office of the Courts Office of Courts Construction and Management to survey and assess the signage at the Hayward Hall of Justice and procure multilingual signage for the entire courthouse. Two hundred signs were produced in English, Spanish and Chinese, these signs were installed in July 2008. A Signage Wayfinding Plan was developed for the Court, which can be utilized for other courthouses as funds become available for signage.

F. Publication for Spanish Speaking Court Users - July 2008

The Court operates three Self Help Centers that provides information on family law and non-family law issues, tenant/landlord, domestic violence, civil harassment, guardianship, name change and small claims. The AOC Community Focused Court Planning Grant published the office hours of the Self Help Center in the Oakland Tribune and the local Spanish language paper El Mundo. The advertisements in El Mundo were in both English and Spanish.

G. Language Access Plan – January 2009

An eight point language access plan was developed in the Planning & Research Bureau to address language needs and the actions the Court can take to address the barriers experienced by limited English proficient people.

1. Providing Interpreters
2. Bilingual Services
3. Language Line and Telephonic Assistance
4. Multilingual Signage
5. Translated Forms and Documents
6. Court Staff and Volunteer Recruitment
7. Training and Staff Procedures
8. Education and Public Outreach

H. Language Access Action Plan – January 2009

A consultant was hired to review the court's existing language access limitations and recommend improvements to the existing operations and facilities of the Court. Transcend Translations was the consultant, and they have ten years' experience providing translation services to the Administrative Office of the Courts. Best practice techniques were developed for the Court including staff education and recruitment, signage and facility. Funds supplied by the State Justice Institute.

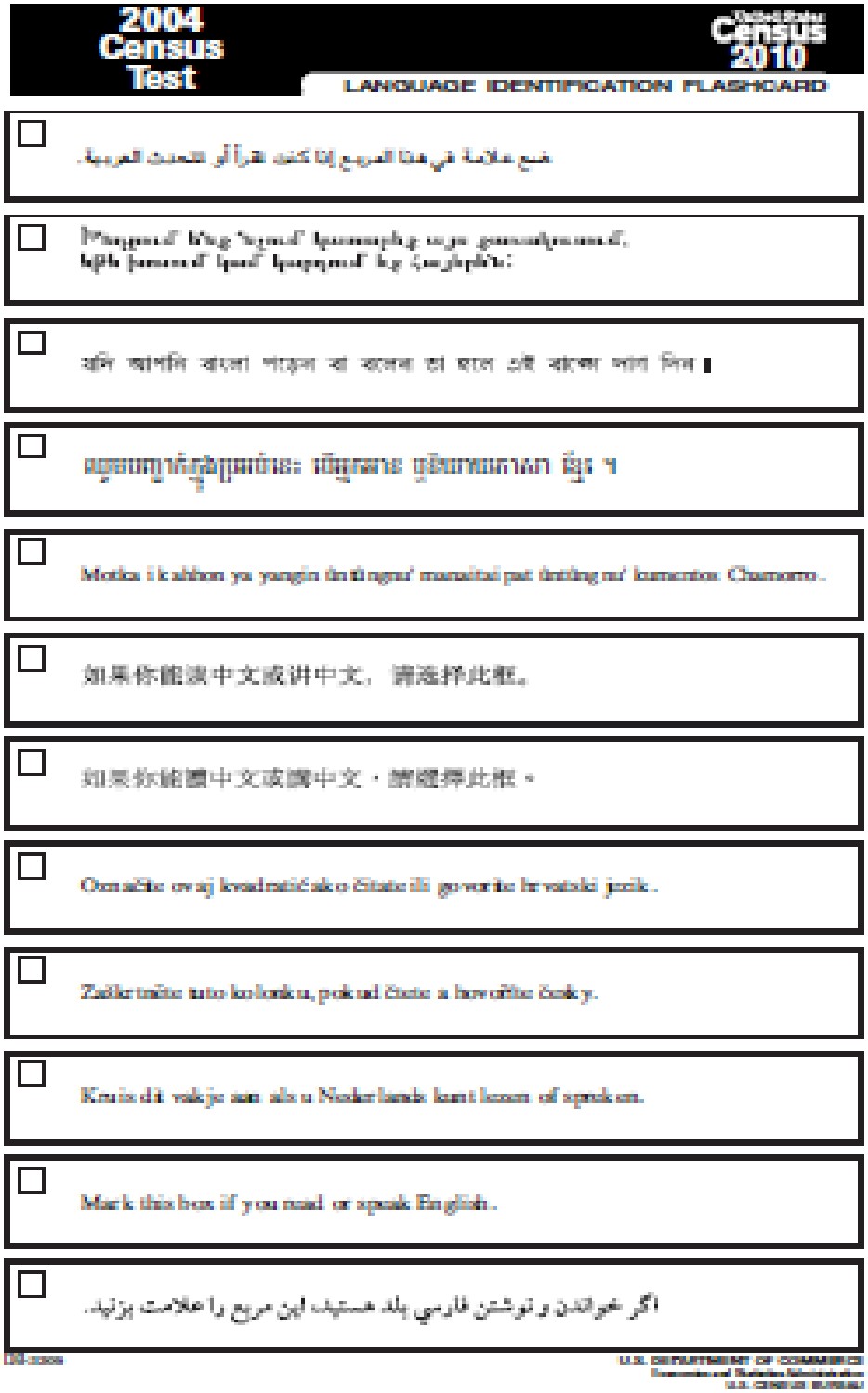
I) Critical Information Translations

One ninety six documents, pamphlets and other forms were translated into Spanish. Many of these were also translated into Simplified Chinese. These documents spanned the entire court, from ADR Civil Mediation to Civil, Criminal, Traffic, Family Law and the Self Help Center.

J. Conclusion

The Judiciary's mission is to "in a fair, accessible, effective, and efficient manner, resolve disputes arising under the law and will interpret and apply the law consistently, impartially, and independently to protect the rights and liberties guaranteed by the Constitutions of California and the United States." Language is an important factor when assessing whether the Judiciary is fair, accessible, and effective. With the ever-changing population in Alameda County and more than one-third of the population foreign-born, it is important that LEP issues are addressed, not only through interpretive services, but rather permeated into the entire court process, from walking through the front door looking to file to receiving orders at the end of the court hearing.

APPENDIX G: Sample of Languages on the AOC's "I Speak" Card



1. Arabic
2. Armenian
3. Bengali
4. Cambodian
5. Chamorro
6. Simplified Chinese
7. Traditional Chinese
8. Croatian
9. Czech
10. Dutch
11. English
12. Farsi

APPENDIX H: Superior Court of California, County of Kern, Domestic Violence Filing Form Asking Interpreter Need

SUPERIOR COURT OF CALIFORNIA, COUNTY OF KERN STREET ADDRESS: 1215 TRUXTUN AVENUE MAILING ADDRESS: SAME CITY AND ZIP CODE: BAKERSFIELD, CA 93301 BRANCH NAME: METROPOLITAN DIVISION-JUSTICE BLDG.	FOR COURT USE ONLY
PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: OTHER PARENT:	
COURT INTERPRETER SERVICES DOMESTIC VIOLENCE RESTRAINING ORDERS [EVIDENCE CODE §755]	CASE NUMBER: S-1501- Hearing Date: ___/___/___ Time: _____ Dept: _____

1. **PERSON TO BE PROTECTED:**_____

   WILL THIS PERSON REQUEST OR NEED AN INTERPRETER?
   - ☐ YES- LANGUAGE:_____
   - ☐ NO

2. **PERSON TO BE RESTRAINED:**_____

   WILL THIS PERSON REQUEST OR NEED AN INTERPRETER?
   - ☐ YES- LANGUAGE:_____
   - ☐ NO

3. **WITNESSES:**

   DO ANY OF THE WITNESSES REQUIRE AN INTERPRETER?
   - ☐ YES- LANGUAGE:_____
   - ☐ NO

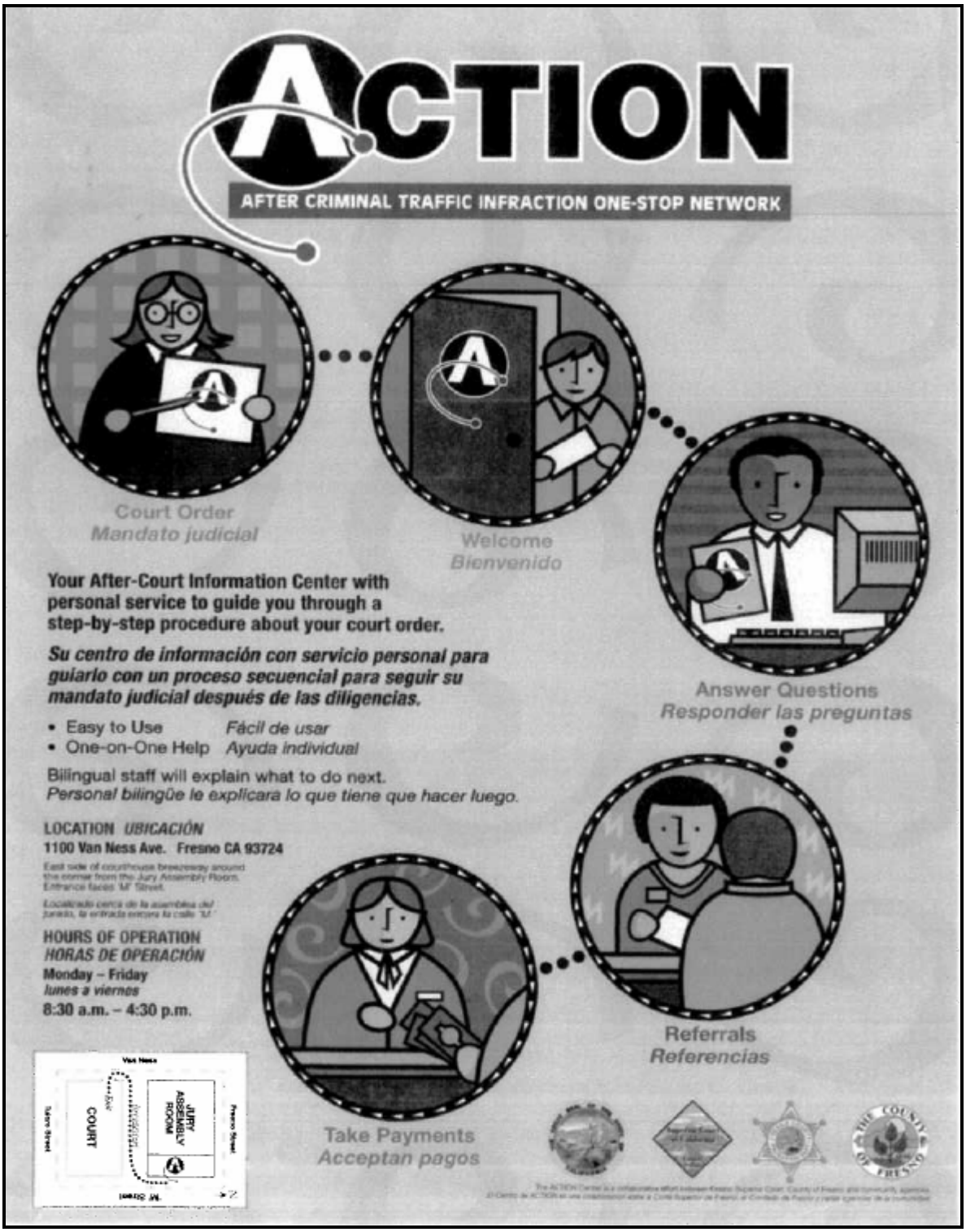
DATE:_____ _____
SIGNATURE

Court Use Only
Request transmitted ___/___/____
By _____

COURT INTERPRETER SERVICES-DOMESTIC VIOLENCE RESTRAINING ORDERS
[EVIDENCE CODE §755]

10-03-2006

APPENDIX I: Superior Court of California, County of Fresno, ACTION Center Poster



APPENDIX J: Superior Court of California, County of Alameda, Sample Sheet of Ranking System to Determine Vital Documents for Translation

Catalogue of Documents Submitted by Each Site

Each court site surveyed for this study was asked to submit their most commonly used documents. The list below memorializes the documents submitted, and gives us basic information about each document, including:

- Name of the court site and court administrator who submitted the documents
- Priority ranking. Here 1 would signify top priority for translation, 2 medium, 3 low, and 4 not recommended for translation. Documents ranked that are ranked 4 may be outside the scope of this contract, either because they are web-based files, documents produced by a non-court program, or court-approved documents that cannot be altered. (Grey shading is used to denote level 4 priority.)
- Document title, Document type, Language, current reading grade level (for some documents), and estimated word count of each document recommend for translation.
- There is no grade level analysis data available at this time for some documents. In those cases, that cell will be left blank.

ADR Civil Mediation, John Helie

Notes: This program has very few clients, and any LEPs are directed to SHC immediately. Because of this, we recommend Plain Language translation only.

	Priority	Document Title	Doc. Type	Lang.	Grade Level	Word Count
1.	2	Mediation-Arbitration About mediation	Brochure	EN		900
2.	2	Notice of Mediator Selection	Flyer	EN		500
3.	2	How mediation works	Flyer (packet)	EN		750
4.	2	Preparing for Mediation	Flyer (packet)	EN		800
5.	2	Preparing a mediation statement	Form	EN		700
6.	2	Mediation worksheet	Form	EN		800
7.	2	At the mediation session	Flyer	EN		550
8.	2	Alternative Dispute Resolution (ADR) Info Packet	Instructions & 1 AOC Form	EN		750
9.	4	Court mediation Program-Alternative Dispute Resolution Program	Web page print-out	EN		1000

Children's Waiting Room, Carolyn Pulliam

Notes: Although not requested, this site seems to urgently need posters, signage, and PSAs. Most people don't know about this great service, and it is really hard to find the rooms.

	Priority	Document Title	Doc. Type	Lang.	Grade Level	Word Count
10.	1	Juvenile Justice Center CWR Comment card (modified version of Court Customer Satisfaction Card). We suggest using a new, but uniform Customer Satisfaction Card at all sites	Form	EN	RGL OK	150
11.	1	Parent / Guardian Agreement Form (2 pgs) 3 forms, identical except for court location. Poor legibility	Form	EN	16.6	550
12.	2	Children's waiting room Guidelines 3 forms, identical except for court location. Poor legibility	Flyer	EN	14.6	600
13.	2	Registration Form 3 forms, identical except for court location. Poor legibility	Form	EN	10.6	350
14.	2	Please note: ID requirements (2 identical sheets provided) (CP wants it translated)	Flyer	EN	N/A	75
15.	1	Posters, signage, PSAs or community outreach communiqués				TBD
16.	4	Sign In Sheet – Not needed per CWR	Form	EN		
17.	4	Return visit form – Not needed per CWR	Form	EN		
18.	4	Incident Report Form – Not needed per CWR	Form	EN		
19.	4	Parent Project-Spanish	Form	EN	13.9	External

Civil-Hayward, Robyn Bonetti

Notes:
- The Civil Division may want to review San Francisco Superior Court's Guardianship and Conservatorship materials, which Transcend translated to plain language + Chinese, Spanish, Tagalog, and Vietnamese. If the Division finds those materials acceptable platforms to base this Court's materials, there would be significant saving.
- Robyn would also like local forms, nos. 22 and 30 below, translated.
- The way in which Ms Bonetti organized, presented, and explained her division's materials was extraordinarily thoughtful. This level of attention to detail with regards to printed material is enormously helpful to court users, who are so often bewildered by court processes.

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