



JUDICIAL COUNCIL OF CALIFORNIA

LANGUAGE ACCESS PLAN IMPLEMENTATION TASK FORCE

www.courts.ca.gov/LAP.htm
LAP@jud.ca.gov

LANGUAGE ACCESS PLAN IMPLEMENTATION TASK FORCE

MINUTES OF OPEN MEETING

May 20, 2016

11:00 a.m. to 4:00 p.m.

In-Person Business Meeting

Advisory Body Members Present: Hon. Mariano-Florentino Cuéllar, Chair; Hon. Manuel Covarrubias, Vice-Chair; Ms. Naomi Adelson; Hon. Steven Austin; Mr. Kevin Baker; Ms. Tracy Clark; Hon. Jonathan Conklin; Hon. Michelle Williams Court; Ms. Ana Maria Garcia; Hon. Dennis Hayashi; Ms. Janet Hudec; Ms. Joann Lee; Hon. Miguel Márquez; Ms. Ivette Peña; Hon. Jonathan Renner; and Hon. Brian Walsh

Advisory Body Members Absent: Hon. Terence Bruiniers, Hon. Janet Gaard, Ms. Susan Marie Gonzalez, Ms. Oleksandra Johnson, Mr. Michael Roddy, Ms. Jeanine Tucker, Dr. Guadalupe Valdés, Mr. José Varela, and Hon. Laurie Zelon

Others Present: Mr. Blaine Corren, Mr. Douglas Denton, Ms. Lucy Fogarty, Ms. Linda Foy, Mr. Scott Gardner, Ms. Diana Glick, Ms. Bonnie Hough, Mr. John Larson, Ms. Olivia Lawrence, Ms. Cristina Llop, Mr. Bob Lowney, Ms. Angeline O'Donnell, Ms. Jenny Phu, Ms. Catharine Price, Ms. Jacquie Ring, Mr. Victor Rodriguez, Ms. Leah Rose-Goodwin, Ms. Virginia Sanders-Hinds, Ms. Elizabeth Tam-Helmuth, and Ms. Millicent Tidwell

OPEN MEETING

Call to Order and Roll Call

The Chair, Supreme Court Justice Mariano-Florentino Cuéllar, called the meeting to order at 11:00 a.m. and welcomed all to the open meeting of the Language Access Plan (LAP) Implementation Task Force (ITF or Task Force). Roll was taken.

Approval of Minutes

The Task Force unanimously approved the minutes to its May 6, 2016 telephone meeting.

ITF Chairs Update

Justice Cuéllar acknowledged efforts made by various courts throughout the state on expansion of language access services to make language access a reality. He also recognized the hard work of the subcommittees and the Task Force on completing many LAP "Phase 1" recommendations, including the model Notice of Free Language Access Services that is being translated into at least eight languages. Translation and education products have also been completed and will require review and approval by the Task Force today, before going on to the Judicial Council for

review and approval at its June 23-24, 2016 meeting. Upon approval by the council in June, these new products will be distributed to courts and posted on our *Language Access Toolkit*.

National Center for State Courts Presentation

Ms. Cristina Llop (and Ms. Jacquie Ring by telephone) from the National Center for State Courts (NCSC) presented a summary of the results of the January 2016 trial court survey on the provision of language access services. The final survey report will be completed at the end of June, and will be shared on the California Courts Language Access webpage in July.

DISCUSSION AND POSSIBLE ACTION ITEMS

The following ITF Subcommittees presented products for possible Task Force approval [ACTION ITEMS]:

1. Translation, Signage and Tools for the Courts Subcommittee

Judge Michelle Williams Court presented on the following documents: a Translation Protocol, a Translation Material Action Plan, and a Development Plan for Remaining Materials.

The **Translation Protocol** provides guidance for the Judicial Council and the courts on the translation of forms, written materials, and audiovisual tools. The protocol includes requirements for translator qualifications, guidance regarding second translator review, and quality control processes. In addition, the protocol provides a framework for identifying documents that are appropriate for translation and contains specific recommendations on the development of glossaries. The protocol is necessary to ensure that consistent, accurate and culturally appropriate translations are available statewide. It will also ensure that a standardized quality assurance process exists for all translations obtained by the Judicial Council and the courts.

The **Translation Action Plan** catalogues, describes, and prioritizes the wide range of documents that are appropriate for translation. While the LAP contains a number of recommendations regarding translations, the Translation Action Plan addresses them in a single document for planning and budgeting purposes. With regard to the translation of documents such as Judicial Council forms, the Action Plan recommends translating informational documents and outgoing orders first and within those categories provides suggestions for ranking the documents based on frequency of use. Both the Protocol and the Action Plan are designed to assist the branch with the prioritization of documents and materials to maximize our language access efforts.

The **Development Plan for Remaining Materials** is a roadmap for the development of informational and training materials recommended in the LAP but not included in the current NCSC contract with the Judicial Council, which ends June 30, 2016. It includes a description of general content for remaining materials to be developed, proposed mediums for the materials (written, audio, or video), and phasing for development in accordance with the LAP.

The Task Force unanimously approved the translation products to move forward to the council for its review and adoption at its business meeting on June 23-24, 2016.

2. Language Access Educations and Standards Subcommittee

Ms. Ana Maria Garcia presented on the following documents: a Bench Card titled “Working with Court Interpreters in the Courtroom,” a Bench Guide Outline, and Training Curricula Outlines for Judicial Officers and Court Staff.

The **Bench Card** addresses the appointment of an interpreter; waiver of an interpreter; the provisional qualification process and restrictions on the use of noncertified/ nonregistered interpreters; and recommendations for judges on the appropriate use of court interpreters. It also includes sample language for judges to use in proceedings with a limited English proficient (LEP) person. The **Bench Guide** and **Training Curricula** outlines address working with interpreters; cultural competence; and the appropriate use of technology to provide language access services.

Both the subcommittee as well as the temporary judicial workgroup reviewed and commented on the draft educational materials developed by the NCSC. The educational resources will be a permanent addition to the overall judicial branch curricula library and will be an ongoing source for continuing education in this area.

After we removed premature teaching references to the use of video remote interpreting (VRI), the Task Force unanimously approved the educational products to move forward to the Judicial Council for its review and adoption at its business meeting on June 23-24, 2016.

3. Technological Solutions Subcommittee

Justice Márquez presented on the VRI Pilot Project, including a description of the proposed Request for Proposals (RFP). Both the Judicial Council’s Legal Services Office and Business Services Office have signed off on the RFP concept. The plan is to award up to three vendors for a six-month assessment period where one or more vendors will be part of a leveraged procurement agreement for the branch. The RFP itself is not being submitted for approval to the Task Force because it will not be publicly available until after the Judicial Council approves moving forward with the VRI Pilot Project in June. Currently, the Task Force is only being asked to approve recommending to the council that it move forward with the VRI Pilot Project.

The Task Force unanimously approved recommending that the VRI Pilot Project be presented to the council at its business meeting on June 23-24, 2016.

Update from Budget and LAP Monitoring Subcommittee, including Ad Hoc Working Group for Courts of Appeal on Adoption of LAP by the California Courts of Appeal and California Supreme Court [INFORMATIONAL ITEM ONLY]

Judge Steven Austin reported that the Governor's May budget revision for Fiscal Year 2016-17 still includes an additional \$7 million in ongoing funds for expansion of court interpreters services in civil matters. The Task Force has begun efforts to request additional funds in a Budget Change Proposal (BCP) for FY 2017-18. With input from members and other branch stakeholders, the Task Force met on May 6 to review and approve the following eight items to go forward in a language access BCP for FY 2017-18:

1. Statewide recruitment initiative for qualified bilingual staff and court interpreters;
2. Administrative support and non-VRI equipment to support language access expansion;
3. Training and signage grant program for trial courts;
4. Standards and training for bilingual staff and court staff interpreters;
5. Video Remote Interpreting (VRI) spoken language pilot implementation and support;
6. Translation of Judicial Council forms and creation of multilingual videos to assist limited English proficient (LEP) court users;
7. Development and maintenance of the web-based *Language Access Toolkit*; and
8. Work of the Language Access Plan Implementation Task Force including consultant services.

Upon approval of the eight draft budget items from the council's Finance and Executive Offices, staff will develop each of the budget items with more detail to produce the full BCP. The Task Force will shepherd the BCP through the necessary internal committee review and approval process, and then will share it with the council at its August meeting before finally submitting the BCP to the Department of Finance in early September.

Justice Jonathan Renner provided an update regarding efforts to evaluate the recommendations in the LAP that may be adopted and implemented by the Courts of Appeal and the Supreme Court.

PUBLIC COMMENT

No public comment was taken. Written comments were submitted by the California Federation of Interpreters prior to the meeting and were distributed to all Task Force members.

LUNCH AND SUBCOMMITTEE BREAKOUT GROUPS

(Not open to the public per Cal. Rules of Court, rule 10.75(b)(1)).

SUBCOMMITTEE UPDATE

Subcommittee Update

The Task Force reconvened and the subcommittee chairs provided the following updates.

Budget and LAP Monitoring (Judge Austin, Chair)

Judge Steve Austin reported that the subcommittee reviewed the approved 2016 Annual Agenda and discussed the subcommittee's tasks and responsibilities. The NCSC's Jacquie Ring and John Doerner provided a high-level overview of their efforts to develop rough cost estimates for full LAP implementation. The estimates will assist the Task Force with current and future BCP requests. The subcommittee also reviewed and discussed the revised model complaint form and model procedures, as well as revised court web content guidance materials. The next step is to share these materials with the full Task Force for their review and approval. After Task Force approval, these materials will be shared with the courts and posted to the *Toolkit*.

Technological Solutions Subcommittee (Justice Miguel Márquez)

Justice Miguel Márquez reported that a few of the subcommittee members surveyed court interpreter coordinators regarding the need for interpreters by LEP users. The survey collected data regarding the case management systems (CMSs) that are used throughout the state. Of the 21 responses, there are approximately 20 CMSs being used throughout the state (many more that went untracked), posing a challenge for uniform tracking of LEP court users' interpreter needs. The survey also asked about headset equipment details (cost, model, and use), revealing that headset usage is a key component in delivering interpreter services. The subcommittee discussed the cataloging of court house equipment that would help with delivering interpreter services (i.e. headsets, bandwidth, Wi-Fi, etc.).

Translation, Signage and Tools for the Courts Subcommittee (Judge Michelle Williams Court) and Language Access Education and Standards Subcommittee (Ms. Ana Maria Garcia, Co-Chair)

The Translation, Signage & Tools for Courts Subcommittee and the Language Access Education and Standards Subcommittee held a joint breakout session this afternoon.

Judge Michelle Williams Court reported that both subcommittees discussed the *Toolkit*, its current status, and plans for building and expanding the services provided on the site. The Subcommittees also discussed the draft BCP for 2017-2018 in which one of the budget items include development and maintenance of the web-based *Toolkit*, and plans for long-term sustainability of the project. The subcommittees also saw a demonstration of the web-based translation budgeting tool and decided that it was not appropriate for the public website, but that it has tremendous potential to be a helpful tool for courts through the Judicial Resources Network (JRN) in determining budget priorities for translation work. Lastly, the members discussed the importance of adding ad hoc members to the Task Force subcommittees in order to broaden the expertise available when reviewing deliverables and making policy recommendations on highly technical areas, such as the qualification of bilingual employees. The members reviewed the process for identifying and adding ad hoc members.

Ms. Ana Maria Garcia reported that council staff will also add the *Toolkit* to the temporary judge webpage. The subcommittee will look into the New Mexico training program for bilingual staff and will also reach out to Kaiser Permanente to learn about its efforts to recruit bilingual staff. The subcommittee needs to develop a variety of tools, such as glossary of terms, usage, and

procedures for non-criminal case proceedings. The council's Center for Families, Children and the Courts' self-represented litigants department will be very useful and helpful in compiling this type of information. Lastly, the subcommittee discussed LAP Recommendations 26, 45, 47 and 48 and will move these recommendations to "Phase 2" for development, with additional input and expertise from new ad hoc members.

CLOSING AND ADJOURNMENT

Justice Cuéllar and Judge Covarrubias thanked everyone for participating in today's meeting. Going into the summer months, the Task Force subcommittees will remain busy and will continue to work diligently with staff on assigned recommendation and priority projects.

There being no further business, the meeting was adjourned at 3:25 p.m.

Approved by the advisory body on **[insert date once approved]**.

Statewide Complaint Form: Proposed Steps (as of June 2016):

1. Prepare the proposed complaint form, accompanying instructions for court users, and draft recommended procedures for handling complaints as a model packet that the Task Force would review and approve to go on the California Courts website (Language Access Toolkit).

Once approved by the Task Force, the model complaint form, instructions for court users, draft recommended procedures for handling complaints, and best practices would be posted on the California Courts website (Language Access Toolkit), and shared with the trial courts. Individual trial courts could choose to adopt their complaint form and process on the model packet, but the model form, including court user instructions, would NOT become an official Judicial Council form because it is administrative in nature.

Note: For complaints regarding Judicial Council services, translations, or forms hosted on courts.ca.gov, it is recommended that court users be able to file complaints directly through the Judicial Council Language Access web page (<http://www.courts.ca.gov/languageaccess.htm>). A section on the Language Access web page can be created for Judicial Council complaints, and court users would be able to fill out predefined fields for complaints regarding Judicial Council services, translations or forms hosted on www.courts.ca.gov. If desired, court users could print out a copy of the Judicial Council services form to complete by hand and submit it by mail or email. Individual courts can link to the Judicial Council services complaint web page so court users can file any non-trial court complaints directly with the Judicial Council.

Target date for Budget and LAP subcommittee to finish model complaint form, court user instructions, draft recommended procedures for handling complaints, and best practices for Task Force review and approval: June 30, 2016. The packet could then be posted to the California Courts website (Language Access Toolkit) and circulated to individual trial courts for use/adoption, with an advisement that a corresponding Rule of Court is under development. See #4 below.

2. Once approved by the Task Force, the model complaint form, court user instructions, draft recommended procedures for handling complaints, and best practices would be posted on the California Courts website (Language Access Toolkit) and distributed to all 58 trial courts (July-August 2016). Courts would receive guidance on complaint form-related information to post on their web pages. The model form for superior courts would also be translated into multiple languages. The Judicial Council will establish a section on the Language Access web page for Judicial Council complaints, and court

users would be able to fill out predefined fields for complaints regarding Judicial Council services, translations or forms hosted on courts.ca.gov. (If desired, court users could fill out and submit a PDF version of the Judicial Council form).

3. Separately, the Budget and LAP Monitoring Subcommittee will develop a corresponding Rule of Court and final recommended procedures for handling complaints (augmenting the current draft procedures as necessary). The new Rule of Court would make clear that trial courts must develop a complaint form and process. The final recommended procedures would outline the recommended process for court users to submit complaints and courts to respond to complaints, provide the general timeframe (90 days) to respond to complaints, and provide additional guidance regarding complaints that may require additional investigation.

Target date to finish draft Rule of Court and final recommended procedures for handling complaints: September 30, 2016.

4. To meet RUPRO cycle for deadlines for non-urgent rules to go into effect January 1, 2018, Rule of Court(s) and final recommended procedures for handling complaints must be approved by the Task Force and submitted to RUPRO by March 2017. For urgent cycle (rule effective July 1, 2017), proposals would be due to RUPRO by November 2016. As part of the RUPRO process, these materials would be put out for public comment.

Attachments:

1. Draft recommended procedures for handling complaints
2. Proposed model statewide complaint form and instructions for court users
3. Proposed Judicial Council web template and form for Judicial Council services
4. Best Practices for Superior Courts

1 **Draft Recommended Procedures: Language access services complaint form and**
2 **general requirements for submitting and responding to complaints**
3

4 The following are suggested procedures that courts can adapt for their own use in
5 processing language access complaints. Under the *Strategic Plan for Language*
6 *Access in the California Courts*, adopted by the Judicial Council in January 2015, each
7 court will produce and make available a single form on which court users may
8 register a complaint about the provision of, or the failure to provide, language
9 access. The form will allow court users to submit language access complaints
10 regarding court services that relate to staff or court interpreters, or to local
11 translations. The form should be available in both hard copy at the courthouse and
12 online on the courts' web page(s), and may be downloaded for printing and
13 completion by court users in writing. Courts may choose to model their form on the
14 model statewide Language Access Services Complaint form prepared by the Judicial
15 Council.
16

17 Complaints regarding Judicial Council services that relate to Judicial Council
18 meetings, forms or other translated material hosted on www.courts.ca.gov, should
19 be submitted directly to the Judicial Council by visiting the council's Language Access
20 page: www.courts.ca.gov/languageaccess.htm
21

22 **(a) Submission and referral of local language access complaints**

23 Once a language access services complaint form has been completed, the form
24 should be submitted or referred to the court as indicated below:
25

- 26 (1) **Court Services:** Language access complaints regarding court services that
27 relate to staff or court interpreters, or to local translations, should be
28 submitted to the court at issue by turning in by hand, mailing or emailing a
29 filled out language access complaint form to the court's designated Language
30 Access Representative. The language access services complaint form for courts
31 should clearly state the court's mailing address and the contact information
32 for the court's designated Language Access Representative.
33

34 The court's Language Access Representative must be given notice of the
35 complaint and an opportunity to respond.
36

- 37 (2) **Anonymous complaints:** Anonymous complaints may be submitted but will
38 not receive acknowledgement of receipt or a notice of final action.
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- 40 (3) **Complaints submitted to wrong location:** A complaint will not be dismissed
41 because it was submitted to the improper entity. The receiving entity should
42 immediately forward the complaint to the appropriate court or Judicial Council
43 for its review and resolution.

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(b) Acknowledgment of complaint

Within 10 days, the court’s Language Access Representative should send the complainant a written acknowledgment that the court has received the complaint.

(c) Preliminary review and disposition of complaints

Priority should be given to immediately address and respond to court user complaints regarding denial of a court interpreter for pending cases. Within 90 days, the court’s Language Access Representative should conduct a preliminary review of all other complaints to determine whether the complaint can be informally resolved or closed, or whether the complaint warrants additional investigation.

(d) Procedure for complaints not resolved through the preliminary review

If a complaint cannot be resolved through the preliminary review process within 90 days, the court’s Language Access Representative should inform complainant that the complaint warrants additional investigation.

(e) Notice of final action

- (1) Within 90 days, the court must send the complainant notice of the final action taken on the complaint.
- (2) If the complaint was not closed during the preliminary review period, the court must send notice of the final action to the complainant upon completion of an investigation.

(f) Resubmission of complaints

When notifying court users regarding the outcome of complaints, courts should indicate any resubmission process (e.g., providing instructions to complainant on how to resubmit a complaint within 90 days, and the contact information of where to send the resubmitted complaint form). Complaints that have been resubmitted should follow the same process indicated above, including notification of final action. If available, courts may want to have a different staff member review the resubmitted complaint to confirm that the complaint has been resolved properly, and/or whether any other action is needed.

(f) Promptness

The court must process complaints promptly at all stages.

(g) Records of complaints

The court and Judicial Council should maintain sufficient information about each complaint and its disposition to identify any history or patterns of complaints submitted under this rule. Beginning January 2017, each quarter, the Judicial Council will send a reporting template to courts, and courts will be required to report on the number and kinds of complaints received, the resolution status of all complaints,

- 1 and any additional information necessary to assist in the ongoing monitoring of the
- 2 overall implementation and success of the *Strategic Plan for Language Access in the*
- 3 *California Courts.*

DRAFT

Complaint Form

Language Access Services

Español | Tiếng Việt | 한국어 | 中文 | Հայերեն

Fill out this form to complain about language access services in the California courts. Provide as much detail as possible. You do not have to give your name or contact information if you do not want to, but it will help us investigate your complaint.

Your complaint will NOT become a part of your case file. Do not use this form if you have a complaint about the outcome of your case.

If you want to provide other comments and suggestions (not a complaint), fill out Part 2 of this form, under “Give Us Feedback.”

<p>Complainant Personal Information:</p> <p>Today’s date: _____</p> <p>Name: _____</p> <p>Telephone: _____</p> <p>Address: _____ _____</p> <p>E-mail: _____</p> <p>Primary language you speak: _____</p> <p>Primary language you write: _____</p> <p>Best contact method: <input type="checkbox"/> mail <input type="checkbox"/> e-mail <input type="checkbox"/> phone</p>	<p>Are you submitting this complaint on behalf of another individual? If yes, please provide your contact information below:</p> <p>Today’s date: _____</p> <p>Name: _____</p> <p>Organization: _____</p> <p>Telephone: _____</p> <p>Address: _____ _____</p> <p>E-mail: _____</p> <p>Primary language you speak: _____</p> <p>Primary language you write: _____</p> <p>Best contact method: <input type="checkbox"/> mail <input type="checkbox"/> e-mail <input type="checkbox"/> phone</p>
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PART 1. Describe the Complaint
Check and fill out all that apply.

- I asked for an interpreter but did not get one.
Tell us when (date) and where (location) this happened:

Case number (if any): _____

Draft 6/2/2016 – Model Complaint Form for Courts

- I am not satisfied with the services of the interpreter. Name of the interpreter:
_____ Interpreter badge #: _____
Date of interpreter service: _____ Location: _____
Case number (if any): _____
Why were you not satisfied with the interpreter services? _____

- Other problem with court staff.
Date of incident: _____ Name of staff person: _____ Department: _____

Describe incident: _____

- The form I need is not in my language.
Give form number, name, or description: _____

- The information I need is not in my language.
Specify what information you need translated: _____

- The translation of the form or information I received has mistakes.
Describe document or information: _____
Describe mistakes: _____

- Other complaint: _____

Have you complained to another agency about this problem? Yes No

If yes, provide the name of the agency:

Add any other information that may help us review your complaint:

PART 2. Give Us Feedback

Other comments or suggestions:

Thank you. We will contact you within 90 days of receiving this form.

Instructions for Language Access Services Complaint Form

Español | Tiếng Việt | 한국어 | 中文 | Հայերեն

The California courts want all Californians, including those who do not speak English well, to have access to the courts. If you have a complaint about language access services at a local court or at the Judicial Council of California, or if you would like to provide feedback about language access services, fill out and turn in the complaint form.

Please keep the following in mind:

- Fill in as much information as you can. *You do not have to give your name*, but it is helpful to know how to contact you so we can get more information if needed.
- You can use the form to provide comments or suggestions about language access services.
- Filing a complaint will not negatively affect your court cases or the services you get at the court.
- Your complaint will NOT become a part of your case file or part of your case.
- If you are making this complaint on behalf of someone else, fill out the information of the person we should contact about the complaint.
- If you need language access services for an active court case, send us your complaint as soon as possible.
- You can fill out the form and turn it in at your local courthouse in person, or mail it or e-mail it at the addresses below. You can also fill it out and turn it in online.

For complaints about services at your local court—related to staff, court interpreters, or local translations—fill out and mail or e-mail your complaint form to:

Superior Court of California, County of [*to be customized*]
Attention: [*to be customized*], Language Access Representative
Address Line 1 [*to be customized*]
Address Line 2 [*to be customized*]
E-mail: [*to be customized*]

For complaints about the Judicial Council’s services—Judicial Council meetings, forms, or other translated material hosted on www.courts.ca.gov—**do not use this form**. Please go to www.courts.ca.gov/languageaccess.htm to submit your complaint.

[Note: The following language could be provided to the individual submitting the complaint via e-mail or as an automatic online response if submitting it online.]

Your complaint or comments have been submitted.

We will contact you within **90 days** of receiving your complaint or comments.

We may need to contact you using the contact information you provided. If your complaint, comments, or suggestions are about an issue not related to language access services, we will send it to the appropriate court, agency, or department.

Thank you for taking the time to let us know how we are doing, and for helping us to improve our language access services for all Californians.

DRAFT

Web complaint form for Judicial Council Services (hosted on Language Access page)

Please fill out the below fields if you would like to register a language access services complaint about Judicial Council meetings, forms, or other translations hosted on the California Courts website (www.courts.ca.gov).

Note: If your complaint is regarding a local court’s language access services, including interpreter services, court staff or bench officers, or local documents and translations provided by a court, please register your complaint with the local court at issue by asking the court clerk for a Language Access Services Complaint Form, or by visiting your court’s Language Access web page to print out their local complaint form. Follow the instructions provided with the local form.

To submit a complaint regarding **Judicial Council** services, please fill out the below fields and press the submit button when you are finished. You may also print out a hard copy of this form (PDF), fill it out, and then send it by mail or email as instructed on the form. We will contact you within 90 days of receiving your complaint.

You may file an anonymous complaint, but we will not be able to contact you if we need additional information, and we will not be able to contact you regarding the resolution of your complaint.

Name: _____

Address: _____

Email: _____

Phone: _____

I preferred to be contacted by phone email

My first language is: _____

I am submitting this complaint on behalf of another individual yes no

Name of other individual (if appropriate): _____

Name of your organization (if appropriate): _____

What is the nature of your complaint? (Please check the appropriate box or boxes).

Judicial Council meeting Judicial Council form Judicial Council translated material

Other language access complaint regarding Judicial Council services

Judicial Council meeting (Please identify the date of meeting, what advisory body or group hosted the meeting, and what your complaint is regarding the language access services that were or were not provided. If appropriate, please identify the language for any interpreter services that were provided or were not provided):

Judicial Council forms (Please identify the Judicial Council form name and number, and provide specific details about any translation issues or other problems with the form):

Judicial Council translated material (Please identify the Judicial Council translated material by name, and if possible, provide a web link to help us find the document. Please provide specific page numbers and details regarding what your complaint is regarding the translation):

Other language access complaint regarding Judicial Council services (please describe):

Thank you for submitting a complaint regarding the Judicial Council's language access services. We will contact you within 90 days.

Submit

Note: Hard copy of Judicial Council form would have the above information and could be printed, filled out, and then mailed or emailed to staff at the Judicial Council

Best Practices – Superior Court Language Access Complaints

1. **Complainant submits complaint form, which is forwarded to appropriate designated person**

A complaint form should be immediately forwarded to the court's designated Language Access Representative and/or Language Access Office. The complaint form may be turned in anywhere in the courthouse and should be promptly forwarded to the appropriate designated Language Access Representative. Organization-wide training will be key.

2. **Notification that complaint was received**

The court's Language Access Representative and/or Language Access Office should respond (if contact information is provided) to complainant immediately (no later than 10 days) by letter or email, acknowledging that the complaint was received. Included with the model complaint form is sample language to immediately respond to complaints via email or letter. **Note:** Courts that already have language access complaint systems in place have found that it is best to immediately respond to and resolve any court user complaints regarding language access services provided by the court.

3. **Complaints submitted to wrong department or entity**

If the form was submitted to the wrong department or entity (e.g., the form is submitted to the Superior Court but it's a complaint regarding Judicial Council forms that should be forwarded to the Judicial Council), complainant should be informed as soon as possible and the complaint form should be forwarded to the proper entity for response and resolution.

4. **Notification to appropriate office or department, if necessary**

The court's Language Access Representative and/or Language Access Office should immediately forward the complaint to the proper superior court department, office, or staff in charge of the subject of the complaint.

5. **Priority given to complaints regarding denial of a court interpreter**

Priority should be given to immediately address any court user complaints regarding denial of a court interpreter. Courts may determine that other language access complaints are of lesser priority, but it is important to immediately respond to all court user complaints and promptly address complaints at all stages, including providing the court user with information regarding the resolution of his or her complaint.

6. **Review by appropriate office or department**

The appropriate superior court office or department will investigate the complaint, and contact the complainant if necessary to gather more information. The office or department will then respond to the Language Access Representative and/or Language Access Office regarding resolution of the complaint or additional steps needed to address the complaint. This step should be completed within 90 days of receiving the complaint.

7. Notification to person submitting complaint of outcome

The Court's Language Access Representative and/or Language Access Office should send a letter or email to complainant explaining the resolution of the complaint, or actions that will be taken toward addressing the complaint. The court should send this notice within 10 days of receiving the information from the relevant office or department.

8. Resubmission of complaints

When notifying court users regarding the outcome of a complaint, courts may want to indicate any resubmission process (e.g., providing instructions to complainant on how to resubmit his or her complaint within 90 days, if it has not been resolved to his or her satisfaction, and the contact information of where to send the resubmitted complaint form). Complaints that have been resubmitted should follow the same process indicated above, including notification of resolution. If available, courts may want to have a different staff member review the resubmitted complaint to confirm that the complaint was resolved properly, and/or whether other action may be needed).

For internal review and for purposes of analyzing trends in complaints, a drop-down menu of complaint categories could be used by courts to track complaints. The list would include:

- LEP court user requested interpreter and it was not provided.
- Court did not offer or provide interpreter on its own.
- The interpreter did not interpret correctly. Name of interpreter: _____ Badge #: _____
- The interpreter did not speak user's language. Name of interpreter: _____ Badge #: _____ Language: _____
- The interpreter behaved unethically or unprofessionally. Name of interpreter: _____ Badge #: _____
- The form was not translated into user's language. Form #: _____ Language: _____
- The translated form contained errors. Form # _____ . Language: _____
- The court did not provide translations of the other (non-form) documents user requested. Documents: _____ Language: _____
- The translations (of non-form documents) were wrong/had errors. Documents: _____ Language: _____
- The court did not have staff that spoke user's language. Location: _____ Language: _____
- The employees that spoke user's language did not speak or write it well enough for user to understand. Location: _____ Language: _____
- The court user was not able to use court services, programs or activities due to a language barrier. Location: _____ Program/Service/Activity: _____ Language: _____

- Other (please explain): _____.

Courts may also want to have clear designation for issues/complaints within Judicial Council's purview, such as Judicial Council forms, the Judicial Council Online Self-Help Center, and other Judicial Council web information, as well as ensure that complaints regarding specific certified or registered interpreters are forwarded to the Judicial Council staff for review per procedures to be developed by the Court Interpreters Advisory Panel (CIAP).

Courts, especially those with several court locations, may also want to have a drop-down menu for court locations, so data can be gathered per location to facilitate assessment of training needs in particular courthouses or departments.

Index of Guidance Materials re: Maintenance of Information on Local Language Access and LEP Plan Web Pages

Attached are a number of documents to assist courts in modifying their local language access and LEP plan web pages to complement the statewide *Strategic Plan for Language Access in the California Courts* (California LAP).

The materials provided include:

- [**Guide for Local Language Access and LEP Plan Web Pages**](#)
Provides guidance on the use of the attachments provided, particularly the sample Language Access Services Web Page (Attachment 1), and a more detailed template local LEP Plan (Attachment 5).
- [**Sample Local Language Access Web page – Attachment 1**](#)
Sample web page for courts to inform LEP users of available language access services in a consistent and user-friendly manner.
- [**Language Access Information Website Placement – Attachment 2**](#)
Suggestions for possible placement of language access information on superior court websites that use the general format provided by the Judicial Council.
- [**Sample Language Access Icon – Attachment 3**](#)
Icon used by the Judicial Council on language access materials and available for use by courts, for non-commercial purposes only, on their local language access information.
- [**Effective Web Practices in the California Superior Courts – Attachment 4**](#)
Document highlighting effective language access online strategies by various superior courts. Document also provides a list of information or issues found during web review that should be corrected when reviewing and updating existing web content.
- [**Local LEP Plan Template – Attachment 5**](#)
Template for local courts to update their existing LEP Plans. This template is intended at supplementing the statewide language access policies as set out in the California LAP. In these LEP Plans, superior courts can address local language access efforts, policies, and resources.

Guide for Local Language Access and LEP Plan Web Pages

This material is designed to enable local courts to have up-to-date user-friendly information for all court users regarding the court's local provision and availability of language access services, such as court interpreters, bilingual staff, and multilingual information. It also provides resources for the courts to easily develop their own LEP plans and link to the statewide plan. The guide will assist courts to clearly communicate their local language access policies and procedures consistent with the [Strategic Plan for Language Access in the California Courts](#) (California LAP).

Superior Court's Language Access Services Web Page (Attachment 1)

The web page template is intended to provide LEP users the most important information they need to obtain language access services at the court. It includes how to locate multilingual help at the court, instructions for requesting an interpreter, cases where interpreters are provided, location of multilingual information, and how to file a complaint regarding language access services.

When establishing this web page, consider the following:

1. Access to this page should be clearly identified on the court website's home page, and not hidden under other sections such as "General Information" or other not immediately identifiable categories. The link to the web page should be visible upon landing on the court's home page without further navigation. If possible, consider a mobile-friendly interface. See Attachment 2 for some suggestions on website placement.
2. Consider the use of a consistent icon or symbol for identifying language access services to avoid the need for translation of text into several languages. An icon currently used on statewide language access materials is included for your use in Attachment 3. Over time, users will learn to recognize this symbol and allow for easy identification of language access information.
3. Given the expansion of language access services, the information on this page will likely need to be updated frequently. It is helpful to set up periodic reminders to review and update the page if necessary, ensuring all links are active and correct. Include information on the page indicating when it was last updated.
4. Do not translate this page exclusively using machine translators such as Google Translate unless absolutely necessary. This is the most critical information for LEP users accessing your court and the translation must be accurate. If Google Translate is used, include a disclaimer and have the disclaimer translated into the target language (by a qualified human translator).
5. Always consider linking to the California Courts Online Self-Help Center (available in English and Spanish). Text linking to information in other languages should be in those languages (i.e. text linking to the Spanish self-help site should be in Spanish. The Judicial Council has provided web buttons for this purpose).

See Attachment 4 for examples of language access services and innovations on various California Superior Court websites, as well as suggestions for overall website information provision in the language access context.

Local Limited English Proficiency (LEP) Plan (as updated to complement the statewide LAP) (*Attachment 5*)

- 1.** Each court currently has an LEP Plan. In light of the adoption of the statewide Language Access Plan, local LEP plans can be significantly simplified. A template is provided for that simpler plan. Complete the template to reflect your court's services and local procedures for providing language access.
- 2.** This updated LEP Plan provides more detailed information for those users interested in learning the court's local language access policies. It Plan should be available online and in hard copy at the courthouse. This new template is consistent with the statewide California LAP. Prior LEP plans and inconsistent statements on your court's website should be removed.
- 3.** Since the field of language access is changing rapidly, please ensure the plan is evaluated at least on an annual basis and include the date it was last updated on the plan and on the webpage.

Attachment 1—Sample Local Language Access Web Page

Help in Your Language Superior Court of California, County of _____





Español | Tiếng Việt | 한국어 | 中文 | Հայերեն Español | Tiếng Việt | 한국어 | 中文 | Հայերեն

The goal of the court is to provide you free language access services if you do not speak, write, read or understand English well.

At the Court

When you come to court and need help in your language: *[Include all that apply and/or modify as appropriate]*

- Look for the symbol  for help.
- Ask anyone wearing a button with the symbol  to help you.
- Ask for help in your language at the Language Access Office, Room _____.
- Ask for [I-Speak Cards](#) so you can show what language you speak.
- We have staff that speak Spanish and other languages to help you. We also have interpreters, in person or by telephone or video, to help you in your language.
- Other:

If You Need an Interpreter

You can get a free interpreter for these types of cases: *[Include all that apply and/or modify as appropriate]*

- All criminal, traffic, and juvenile cases.
- Domestic violence, civil harassment cases where there is no fee to file, elder abuse cases where there is physical abuse or neglect.
- Unlawful detainers (evictions)
- Termination of parental rights
- Guardianship and conservatorship
- Cases where one person is asking for sole custody or visitation
- Other civil harassment and elder abuse cases

- Other family law cases
- Other civil cases
- Family Court Services Mediation or Child Custody Recommending Counseling
- Mandatory settlement conferences in all civil and family law cases

If you need an interpreter, ask your court right away. To ask for an interpreter, fill out and file a *Request for Interpreter* ([Form INT-300](#)) [*Use local interpreter request form if preferred*]. Or:

- Call (xxx) xxx-xxxx
- Email: languageaccess@_____.gov

Click for Form INT-300 in, [Arabic](#), [Chinese](#), [Farsi](#), [Korean](#), [Punjabi](#), [Russian](#), [Spanish](#), [Tagalog](#), and [Vietnamese](#).

If we cannot provide you a free interpreter for your case, you can bring your own qualified interpreter. It is very important that you find someone who is qualified to interpret, speaks both English and your language very well, and understands legal terminology in both languages. Do not bring a minor (under 18 years of age) to help you. Find out more about the [importance of qualified court interpreters](#) and how to find someone. Or click to [find a qualified interpreter](#).

Complaints About Language Access

To complain about language access services at the Superior Court of California, County of _____ fill out the [language access complaint form](#). Follow the directions for turning it in.

For complaints about the Judicial Council's services (Judicial Council meetings, court forms, or other translated material on www.courts.ca.gov), go to: www.courts.ca.gov/languageaccess.htm

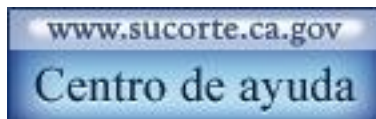
Written Information in Your Language

To find written information in many languages, go to:

_____.

To find videos in other languages, go to: _____

You can also find information in English and Spanish about many types of legal cases at:



Language Access Toolkit

Some pages on our website allow you to use Google Translate (an automatic machine translation) so you can read them in your language. Also, some of the information on this site has been translated using Google Translate. Using Google Translate can result in mistakes and give you the wrong information. It is best if you check with the court, the self-help center, or a lawyer if you have questions about your legal case.

Other Language Access Policies

Our staff and judges receive education every year on language access services, laws, policies, and procedures. Click to learn more about our [court's local language access policies](#).

The California Judicial Branch has adopted a statewide language access plan with the language access laws, policies, and recommendations for all of the courts in California. Click to read the [Strategic Plan for Language Access in the California Courts](#).

This webpage was last updated on _____.

Attachment 2— Language Access Information Website Placement

Below are suggestions for placement of language access information on a superior court’s website, for those courts using the web design/layout provided by the Judicial Council:

- Provide language access icon easily identifiable on the court’s home page, linkable to the language access web page.
- Include “Language Access” Page under “General Information”
- Include “Language Access Services/Interpreters” under “Frequently Used Court Services” on the Home page.
- Under “Quick Links”:
 - “Common tasks . . .” could include “Request an interpreter” and “Information in my language”
 - “How do I . . .” could include “Ask for an interpreter” and “Get information in my language”

These placement suggestions are not meant to be all-inclusive. Courts may add language access information and links wherever appropriate based on usage, web design, and usability standards. In doing so, courts should consider ease of use and multilingual availability, as well as address all likely website entry points for court users, and navigability of home page.

Attachment 3— Sample Language Access Icon

Language Access Icon used on Judicial Council language access materials:



Courts may use this icon as long as it is used:

- For non-commercial purposes, and
- In its present form/design.

Attachment 4—Effective Web Practices in the California Superior Courts

Effective Web Practices in the California Superior Courts

The information below includes some examples of effective web practices regarding language access information, as well as some areas for improvement.

Provision of bilingual information for court users:

- Los Angeles Superior Court’s Traffic Digital Assistant, available in 6 languages (English, Spanish, Chinese, Korean, Vietnamese and Armenian), at <http://www.lacourt.org/division/traffic/traffic2.aspx>. In addition to the digital assistant, there is a multilingual functionality for the traffic online services webpage.
- Contra Costa’s Virtual Self-Help Center, available in English and Spanish, with videos in several languages, video instructions for completing forms, and upcoming new site will include mobile-friendly content. Available at <http://www.cc-courthelp.org/>.
- For examples of courts taking advantage of existing successful models and resources, see Monterey Superior Court’s incorporation of Contra Costa’s site, with Monterey Court banner and local information. Available at <http://selfhelp.monterey.courts.ca.gov/>. See also Santa Clara Superior Court’s self-help pages, where the related links on English self-help content pages provide links to the Spanish page at the Judicial Council’s Online Self-Help Center (e.g. http://www.scscourt.org/self_help/family/parentage.shtml).
- For examples regarding translating web information or adapting another court’s site (as Monterey did), see Mono Superior Court’s home page at <http://www.monocourt.org/> which provides a model for how to welcome Spanish users and provide them, from the home page, with a link (in Spanish) to the Judicial Council Online Spanish Self-Help Center.

Online interpreter request form in several languages:

- Alameda Superior Court at <http://www.alameda.courts.ca.gov/Pages.aspx/Interpreters-Language-Access>
- Los Angeles Superior Court at http://www.lacourt.org/generalinfo/courtinterpreter/GI_IN001.aspx
- Sonoma Superior Court at <http://sonoma.courts.ca.gov/info/interpreter>.

Complaint process:

- Los Angeles Superior Court’s complaint form (fillable online) and process, available at http://www.lacourt.org/generalinfo/courtinterpreter/GI_IN006.aspx in 6 languages ((English, Spanish, Chinese, Korean, Vietnamese and Armenian).

Best practices when using Google Translate feature:

- Orange County Superior Court at <http://www.occourts.org/>, which upon activating “Google Translate” provides a disclaimer advising of the potential inaccuracies of machine translation. The disclaimer is translated to the relevant language.

Online information or issues found during web review, which should be corrected during updates:

- Outdated LEP Plans on the site, which have not been updated since first adopted (dates of adoption range from 2008 to early 2010).
- Posted LEP plans inconsistent with statements made on web pages regarding the provision of interpreters.
- No information at all on the website regarding interpreters or language access services, policies or procedures.
- Spanish content that contains typographical and other errors, some of which significantly affect the meaning intended. (This could be an issue in other languages as well.)
- Information that directs LEP court users to bring their own interpreter, or use friends or family members to interpret for them. (If a court cannot always provide for an interpreter for all proceedings, the advisement to bring their own interpreter may be appropriate. However, LEP court users should be advised of the criticality of bringing a qualified interpreter and provided a link to the Judicial Council certified and registered interpreter list: <http://www.courts.ca.gov/3796.htm>).

Attachment 5— Local LEP Plan Template

Superior Court of California, County of _____ Limited English Proficiency (LEP) Plan

The Superior Court of _____ County provides language access services to LEP court users consistent with the [Strategic Plan for Language Access in the California Courts](#) (California Language Access Plan or LAP). This Limited English Proficiency (LEP) Plan addresses language access services and policies that affect LEP court users and language access procedures at our court.

1. Identification of LEP Persons

The top ____ non-English languages spoken in this county are:

- 1.
- 2.
- 3.
- 4.
- 5.

This information is based on data collected from the U.S. Census Bureau and/or the Court Interpreter's Data Collection System (CIDCS). In addition, the court collects data from _____. The data is collected yearly/quarterly/other. *[Choose whichever applicable or modify accordingly]*

2. Services Provided

Interpreters: The court strives to provide free interpreters to all LEP court users for all court hearings and trials and court-ordered/court-operated events. Interpreters are provided at no cost for all criminal, traffic, and juvenile law cases. While we continue efforts toward providing interpreters in all civil matters, we are currently limiting interpreter provision as described below.

The court currently provides free interpreter services in civil matters, within the priorities established in Evidence Code § 756, as follows: *[Include all that apply or modify as appropriate]*

- Priority 1: Domestic violence, civil harassment cases where there is no fee to file, elder abuse cases where there is physical abuse or neglect
- Priority 2: Unlawful detainers (evictions)
- Priority 3: Termination of parental rights
- Priority 4: Guardianship and conservatorship
- Priority 5: Cases where one person is asking for sole custody or visitation
- Priority 6: Other civil harassment and elder abuse cases
- Priority 7: Other family law cases
- Priority 8: Other civil cases

In addition, the court provides free interpreters to all LEP persons for the following court events or programs: *[Include all that apply and modify as appropriate]*

- Family Court Services Mediation or Child Custody Recommending Counseling
- Mandatory settlement conferences in all civil and family law cases
- Other:

Bilingual Staff: The court has bilingual staff to help LEP users in their language in person, or by telephone/video through use of a multilingual employee listing. The languages currently spoken by the court’s staff, in addition to English, include:

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____


When bilingual staff are not available, qualified interpreters are provided either in person or remotely at the various points of contact with the court (such as court entrances, clerk’s offices, self-help centers, etc.). Staff court interpreters are preferred, whenever available, for in person or remote interpretation. If not available, the court uses _____ *[example: Language Select]* to provide for telephonic interpretation to assist in communications between staff and LEP persons.

Translated Written Information: The court provides multilingual information in the following ways: *[Include all that apply or modify as appropriate]*

- On the court's website in the following languages: _____, _____, _____, _____.
- Written educational and informational handouts and brochures in the following languages: _____, _____, _____, _____.
- By providing links to the [California Court's Online Self-Help Center](#) (English) and the [Centro de Ayuda de las Cortes de California](#) (Spanish).
- Available multilingual information is available at:
- Language Access Office, Room _____.
- Court's website at: [www._____ .gov](#)
- Court's self-help center/family law facilitator's offices.
- Other: _____.

3. Notification of Language Access Services

The court notifies court users of available language access services and how to access them in the following ways: *[Include all that apply or modify as appropriate]*

- Multilingual notice posted at the courthouse entrance, clerk's office, jury room self-help center/family law facilitator's office, courtrooms, other:
- Through consistent use, in relevant points of contact and written notices, of this language access icon: 
- Language Access Office, Room _____.
- Court's website at: [www._____ .gov](#)
- Many court written informational and educational materials aimed at the public.
- Bilingual staff are identified by wearing a button with the language access icon.
- Display and availability of [I-Speak Cards](#) at all points of contact with the court.
- Outreach to the court's justice partners, community based organizations, legal services providers and others, and through court collaborations as follows: _____
[List any outreach and education efforts and/or court collaborations/partnerships]

4. Education of Court Staff and Judicial Officers

As recommended in the California LAP, the Superior Court of California, County of _____ provides education for court staff and judicial officers on: (1) language access laws, policies and procedures at the state and local level, (2) working with language access service providers, (3) working with LEP court users, (4) tools and technologies for providing language access, and (5) cultural competence. In addition, additional language access related training is provided in the following areas: _____, _____, _____. *[Include any that may apply]*

Training requirements are as follows: *[Include all that apply or modify accordingly]*

- Mandatory education for all new court staff.
- Mandatory education for all new judicial officers.
- Mandatory yearly education for all court staff.
- Mandatory yearly education for all judicial officers.
- Other

In addition to court-wide training, all court staff have access to tools for serving LEP court users, such as the [Language Access Toolkit](#), I-Speak cards, multi-lingual employee listings, Language Select, video-remote equipment, Other: _____.

5. Monitoring and Updating Local Language Access Services Policies

The court regularly monitors its language access services, policies and procedures, and all items included in this LEP Plan to assess whether any changes are needed. In addition, the court performs an annual evaluation of its policies and updates this document as appropriate. Updates to the webpage at _____ are similarly performed yearly, or more often if necessary to provide current up-to-date information to all court users.

The court has developed a language access complaint form and process, available at _____ or by contacting the Language Access Office at the locations specified below to address the failure to provide language access services, or issues with the provision of services, including interpreter services, qualified multilingual assistance at all points of contact with the court, and translations of local court forms or other materials.

All complaints regarding the local provision, or failure to provide, language access services are handled by the court. All complaints are also reported to the Judicial Council to assist in the ongoing monitoring of the overall implementation and success of the California Language Access Plan, consistent with Recommendation No. 63 of the California LAP.

6. Language Access Office

Any concerns and requests for information regarding this LEP Plan, its content, implementation, or the language access services provided by the Superior Court of California, County of _____, should be directed to:

Language Access Office

Tel: _____

Email: _____

Date of most recent update: _____