

Scottsdale City Court

Language Access Plan 2021

I. Legal Basis and Purpose

This document serves as the plan for the Scottsdale City Court to provide to persons with Limited English Proficiency (LEP) services that are in compliance with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.; 45 C.F.R. § 80.1 et seq.; and 28 C.F.R. § 42.101–42.112). The purpose of this plan is to provide a framework for the provision of timely and reasonable language assistance to LEP persons who come in contact the Scottsdale City Court.

This Language Access Plan (LAP) was developed to ensure meaningful access to court services for persons with limited English proficiency. Although court interpreters are provided for persons with a hearing loss, access services for them are covered under the Americans with Disabilities Act rather than Title VI of the Civil Rights Act, and therefore will not be addressed in this plan.

II. Needs Assessment

A. Statewide

The State of Arizona provides court services to a wide range of people, including those who speak limited or no English. From a statewide perspective, the following languages were listed with the greatest number of speakers who spoke English less than “Very Well” in Arizona (according to the American Community Survey estimate report from the U.S. Census Bureau dated April 2017, which have remained consistent to this date), in the following order:

1. Spanish
2. Navajo
3. Chinese
4. Vietnamese

B. Scottsdale City Court

The Scottsdale City Court is responsible for providing services identified in this plan to all LEP persons. However, the following list shows the foreign languages that are most frequently used in this court’s geographic area. This information is based on data collected from the court’s case management system and internal statistics collected from interpreter invoices, as follows:

1. Spanish
2. Arabic
3. Mandarin
4. ASL
5. French and Portuguese

III. Language Assistance Resources

A. Interpreters Used in the Courtroom

1. Providing Interpreters in the Courtroom

In the Scottsdale City Court, court interpreters will be provided in all courtroom proceedings at no cost to all LEP court customers including witnesses and victims, as well as any other person(s) whose presence or participation is necessary or appropriate.

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Pursuant to Arizona Supreme Court Administrative Order 2016-02, The court gives careful consideration when seeking services of contract interpreters. Preference is given to credentialed interpreters when available. The services of uncredentialed interpreters that are qualified may be utilized when credentialed interpreters are unavailable. The court may also refer to the Arizona Court Interpreter Registry when seeking outside interpreters.

It is the responsibility of the private attorney, public defender or prosecutor's office to provide qualified interpretation and translation services for witness interviews and for all attorney/client communications held off court site.

2. Determining the Need for an Interpreter in the Courtroom

The Scottsdale City Court may determine whether a court customer has limited English proficiency in various ways. The identification of those language needs at the earliest point of contact is a priority for the court. 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 security, front counter and courtroom staff, attorneys, victim's advocates, detention officers, and by law enforcement officers as noted on a citation. The court has a documented process to identify LEP needs for parties and to ensure a notation is made in the court's electronic case file.

Signage throughout the court building indicating interpreter services are available may also help to identify LEP individuals. The Scottsdale City Court displays the "Notice of Interpreter Services" at the following locations inside the court building: entry point and Self-Service Center.

The need for an interpreter also may be made known in the courtroom at the time of the proceeding. In a case where the court is mandated to provide an interpreter, but one is not available at the time of the proceeding, the case may be continued to a date when an interpreter can be provided.

3. Administrative Office of the Courts (AOC) Interpretation Resources

Court Interpreter Registry and Listserv

The AOC maintains a statewide roster of individuals who indicate they have interpreting experience and have expressed interest in working in the courts. The court using interpreting services will determine the competence of the persons listed. This roster is available to court staff on the Internet at <http://www.interpreters.courts.az.gov>.

Additionally, the AOC created a statewide listserv to allow courts to communicate via email on court interpreter-related matters. The listserv is an excellent resource to locate referrals for specific language needs.

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Video Remote Interpreting

The AOC has installed video conferencing equipment at the State Courts building that will allow courts with compatible technology to remotely conference an interpreter from the Phoenix Metro area or from another court jurisdiction into their court to improve resource allocation and reduce time and costs associated with interpreter travel.

Court Interpretation Amidst the Pandemic

The Scottsdale City Court takes every safety measure necessary, as indicated by the Arizona Supreme Court as well as any and all CDC guidelines. Therefore, to ensure safety for all employees and the public, most hearings are being held in a virtual manner. Parties are directed to appear remotely, which enables interpreters to also appear in this same manner. In the event a hearing is scheduled that calls for an interpreter to appear in-person, proper protocol is followed by court staff and all participants. Interpreter(s) must wear a face mask and maintain a distance of six feet from any person/party. Electronic equipment is also available for parties in need of interpretation that allows for safe practice of social distancing. Area(s) are sanitized accordingly following proceedings.

B. Language Services Outside the Courtroom

The Scottsdale City Court is also responsible for taking steps to ensure that LEP individuals have meaningful access to court services and programs. Court services and programs include but are not limited to a self-help center, public service windows/cashiers, inbound calls, jury service, and records.

1. Assistance to Understand Court Procedures and Policies

The Scottsdale City Court will be responsible for taking reasonable steps to ensure that LEP individuals understand court procedures and policies.

2. Assistance to Fill-out Court Forms and Pleadings

The Scottsdale City Court will assist in the completion of court forms for those LEP persons who are unable to do so either by themselves or with the assistance of another competent adult proficient in English.

3. Court-Ordered Services and Programs

The court is also responsible for taking reasonable steps to ensure that LEP individuals have meaningful access to all court-ordered services and programs. Court-ordered services and programs include but are not limited to alcohol and drug screening/treatment, educational programs, and classes provided by a private vendor under contract with the court. Any contracts with vendors that provide direct services to court users include the requirement that the vendor provide language services, including interpreters, for all LEP individuals.

The court uses the following resources to facilitate communication with LEP individuals and court staff or providers of court-ordered services:

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- The Scottsdale City Court's staff interpreter has a Tier 3, Arizona Court Interpreter Credential. The court also utilizes the services of independent contractors, or agency contractor interpreters. Preference is given to credentialed interpreters when requesting external interpreters;
- The Scottsdale City Court provides a public phone line with key instructions provided in Spanish to request court services;
- The Scottsdale City Court has bilingual employees in the following languages; Spanish and Mandarin Chinese. When LEP customers seek our assistance outside the courtroom, we first try to meet their needs by using the language skills of our employees.
- The Scottsdale City Court has developed an internal phone list of bilingual employees who may provide assistance to LEP customers when necessary, and when no staff person is available to provide that assistance in person.
- For face-to-face encounters, as well as telephone conversations, the Scottsdale City Court utilizes telephonic interpreter service, when on-site interpreters are not available.
- When court staff does not know what language a customer is speaking, they use the ISpeak cards to identify the individual's primary language.
- Staff who have some knowledge of another language but need help with court terminology may consult the following glossary sources:
 - a. Spanish/English glossary on the AOC self-help Web site, http://ajinweb/ctserv/cmu/CMU_CourtInterpreter.htm
 - b. Spanish Language Style Guide and Glossaries for U.S. Government Web Sites <https://www.digitalgov.gov/resources/spanish-language-style-guide-and-glossaries/>
- Written information in Spanish on how to access and navigate the court.
- Multilingual signage throughout courthouse locations in the following languages: Spanish.

To provide linguistically accessible services for LEP individuals, the Scottsdale City Court provides the following:

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- Public service windows that include bilingual staff and telephonic language assistance.
- Written informational and educational materials and instructions in Spanish.
- Website link from the court's website to the Supreme Court's Spanish translated webpage <http://www.azcourts.gov/elcentrodeautoservicio> for court forms and instructions and other language access related resources such as the courts' website pages <http://www.scottsdaleaz.gov/court> and LAP and complaint form and process.
<http://www.scottsdaleaz.gov/Assets/ScottsdaleAZ/Court/CourtPublications/Other+Publications/LAP.pdf>

C. Court Appointed or Supervised Personnel

The Scottsdale City Court will ensure in any instance in which the court may appoint or supervise other personnel that they will provide language services, including interpreters as part of their service delivery system to LEP individuals.

D. Translated Forms and Documents

The Arizona courts understand the importance of translating forms and documents so that LEP individuals have greater access to the courts' services. The Scottsdale City Court currently uses forms and instructional materials translated into Spanish.

The court has translated various vital documents into Spanish:

- Civil Traffic Hearing Information
- Information for County Jail Confinement
- Compliance Assistance Program
- Request for Public Defender
- Walk-in Motion
- Payment Notice
- Financial Statement
- Defensive Driving Class Info
- Mandatory Insurance Suspension Info
- Types of Payments Accepted
- Appeal Information
- Records Request
- Public Survey
- Fines Enforcement

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These documents will be located will be located at Scottsdale City Court, 3700 North 75th Street, Scottsdale, AZ 85251 in the Self-Service Center.

Qualified interpreters at court hearings provide sight translations of court documents and correspondence associated with the case. In the event that an interpreter is not available, other reasonable means will be employed to ensure meaningful access for the LEP person such as:

- Explaining the contents of the document by competent bilingual staff
- Utilizing a telephonic interpreter service to relay court staff's explanation of the documents content
- Submission of the document for timely written translation as appropriate.

E. Website/Online Access

Scottsdale City Court operates an Internet website <http://www.scottsdaleaz.gov/courts/> and ensures the website is accessible to LEP persons and includes:

- Google Translate is also available to translate the Court's web pages into numerous languages, including but not limited to, Spanish, Arabic and Vietnamese.
- A notice about the availability of language services written in Spanish and is posted on the court's website page <http://www.scottsdaleaz.gov/court/>
- A hyperlink to Arizona Supreme Court's Spanish-translated webpage <http://www.azcourts.gov/elcentrodeautoservicio>
- A hyperlink to the Scottsdale City Court's LAP and complaint form and process <http://www.scottsdaleaz.gov/Assets/ScottsdaleAZ/Court/CourtPublications/Other+Publications/LAP.pdf> and to [Supreme Court's Self-Service Center page](#) with language access complaint forms in English, Arabic, Chinese, Spanish and Vietnamese

IV. Court Staff and Volunteer Recruitment

A. Recruitment of Bilingual Staff for Language Access

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

- Court Spanish interpreter that serves as regular full-time employee of the court.
- Bilingual staff that serve at public counters, answering inbound calls and self-help

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center questions.

- Bilingual city staff available on call to assist with contacts from LEP individuals, as needed.

B. Recruitment of Volunteers for Language Access

At this time, The Scottsdale City Court does not recruit or use volunteers to assist with language access.

V. Judicial and Staff Training

The Scottsdale City Court is committed to providing language access training opportunities for all court employees. Training and learning opportunities currently offered will be expanded or continued as needed.

Training includes:

- Diversity Training;
- Cultural competency training;
- LAP training;
- New employee orientation training; and,
- AOC's Language Access in the Courtroom Training DVD
- AOC's Language Access Online Training Videos

VI. Public Outreach and Education

A. General

Scottsdale City Court developed the Spanish Interpreter High School Experience/Program which is designed to encourage young people to seek a career in court interpretation as well as familiarize them with our legal system. This program was initially launched in early March 2020. Since that time, Scottsdale City Court has been working closely with junior and senior year students from Saguaro High School. This program has allowed the students to become educated not only in the areas of interpreting, but also in the functions of the court, which include the essential roles of the judicial officer(s), administrators, secretary, bailiffs, and other staff. This same program may well be available to other high school students in the future.

B. Videos, Webinars, On-line Classes, In-person Classes and Other Similar Instructional Methods

The Scottsdale City Court will determine whether any existing videos, webinars, and instructional materials should be made available in languages other than English and Spanish by considering the Department of Justice's four-factor analysis. The court has purchased a software program to assist in the development of computer-based training that will be designed to present instructional materials to litigants in English, Spanish and other languages.

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C. Formal Complaint Process

If an LEP court customer believes meaningful access to the courts was not provided to them, they may choose to file a complaint with the trial court's Language Access Plan Coordinator. The court will develop a complaint process that includes at a minimum, the following information:

- The court will respond to any complaint within 30 days and the records will be maintained as public records.
- How to file a complaint and to whom the complaint should be directed.
- The complaint form (English/Spanish) is attached to the LAP.
- Translated versions of the complaint form are available in multiple locations, including, but not limited to:
 - Forms posted on the court's website
 - Hard copy forms available at the counters.

VII. Public Notification and Evaluation of LAP

A. LAP Approval and Notification

The Scottsdale City Court's LAP and any subsequent revisions are approved by the court's Presiding Judge and Court Administrator and a copy is forwarded to the AOC Court Services Division. Copies of Scottsdale City Court's approved LAP will be provided to the public on request. In addition, the court posts the approved LAP on its public website <http://www.scottsdaleaz.gov/Assets/ScottsdaleAZ/Court/CourtPublications/Other+Publications/LAP.pdf>

B. Evaluation of the LAP

The Scottsdale City Court will routinely assess whether changes to the LAP are needed. The plan may be changed or updated at any time but reviewed no less frequently than once a year or biennially.

Every year the court's interpreter will review the effectiveness of the court's LAP and make any necessary updates. The evaluation will include identification of any problem areas and development of corrective action strategies. From time to time, the court may consider using a survey sampling of data collection for a limited time period which involves assessing language access requests to assist in the evaluation of the LAP.

Elements of the evaluation will include:

- 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.

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- 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
- Review customer satisfaction feedback as indicated on the access and fairness survey, if administered by the court during this time period.
- Review any language access complaints received during this time period.

C. Court Language Access Plan Coordinator:

Sylvia Uppendahl
Court Interpreter
Scottsdale City Court
3700 N. 75th St.
Scottsdale, AZ 85251
(480) 312-7154, suppendahl@scottsdaleaz.gov

D. AOC Language Access Contact:

David Svoboda
Court Services Division
Administrative Office of the Courts
1501 W. Washington Street, Suite 410
Phoenix, AZ 85007
(602) 452-3965, dsvoboda@courts.az.gov

E. LAP Effective Date: January 2021

F. Approved by:

Presiding Judge: Joseph Olcavage /s/ Date: __01/22/2021__

Court Administrator: Ken Kung /s/ Date: __01/22/2021__

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Scottsdale City Court Limited English Proficiency (LEP) Complaint Form

Section 602 of Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d states that "No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance." One of the reasons this law was established to ensure that persons who do not speak English as their primary language and who have a limited ability to read, speak, write or understand English be afforded meaningful access to programs, services and/or activities and information provided by any entity receiving federal financial assistance.

If you feel you have not been provided meaningful access to any court or probation service and/or activity, please complete this form and return it to Scottsdale City, 3700 N. 75th St. Scottsdale, AZ 85251

PLEASE COMPLETE AND SIGN:

I. Complainant Information:

Name: _____

Contact or Home Address: _____ City/State/Zip: _____

Telephone #: Home (____) _____ Alternate # () _____

Primary Language: _____

II. Complaint Description:

Name or Department and/or Program/Service/Activity: _____

Name of individual (s) involved if known: _____

Address where incident occurred: _____

Date of incident: _____

Describe how you were not provided meaningful access: (Be specific and attach additional pages if necessary)

Signature _____ Date: _____

The Scottsdale City Court is committed to improve access to its programs, services and activities for persons who are Limited English Proficient.

This form is available in Spanish and is available on the reverse side.

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Scottsdale City Court Formulario de Reclamación por falta del debido acceso a los de Conocimiento Limitado del Idioma Inglés

La sección 602 del Título VI de la Ley de Derechos Civiles de 1964, 42 U.S.C. 2000d reza que "En Estados Unidos, se garantizará a toda persona la participación en y beneficios de todo programa o actividad que reciba asistencia económica federal sin discriminar debido a su raza, color u origen nacional." Entre los motivos de dicha ley fue el de asegurar que se le conceda a toda persona que no sepa inglés como idioma principal y con capacidad limitada de leer, hablar, escribir o entender el inglés pleno acceso a todo programa, servicio y/o actividad e información proporcionados por toda entidad que reciba asistencia económica federal.

Si Ud. opina que se le ha negado el pleno acceso a todo servicio o actividad ofrecido por el tribunal o el departamento de régimen a prueba, por favor, llene este formulario y envíelo a Scottsdale City Court.

Llene el formulario a continuación y fírmelo al pie.

1. Datos del reclamante:

Nombre y apellido(s): _____

Dirección domiciliaria: _____ Ciudad/Estado/Código Postal: _____

Núm. de Teléfono: Casa () _____ Otro () _____

Idioma principal: _____

Detalles de su Reclamación:

Nombre del Departamento que ofrece el programa, servicio o actividad: _____

Nombre(s) de la(s) persona(s) involucrada(s) si es que sabe: _____

Dirección del sitio en que ocurrió el incidente: _____

Fecha del incidente: _____

Mencione en detalle cómo fue que le negaran pleno acceso: (Anote los detalles y adjunte otras hojas si es necesario)

Firma _____ Fecha: _____

Scottsdale City Court se comprometen a mejorar el acceso a sus programas, servicios y actividades para los de conocimiento limitado del inglés.