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LYNN FAZZ
CLERK OF SUPERIOR COURT
YUMA ARIZONA 85364

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF YUMA

In the Matter of:

LANGUAGE INTERPRETERS AND
ACCESS TO COURTS BY PERSONS
WITH LIMITED ENGLISH PROFICIENCY

Administrative Order
2014-16
(Amending 2013-22)

WHEREAS, the United States Department of Justice has issued a letter of guidance to all State Court Administrators regarding Title VI requirements, a copy of which is attached as Exhibit A; and

WHEREAS, Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq., and Executive Order 13166, 65 FR 50121 require that the Court have a Limited English Proficiency Plan / Language Access Plan ("LEP Plan" / "LAP Plan") and policies in place to implement the LEP / LAP Plan; therefore,

IT IS ORDERED:

1. The Amended LEP / LAP Plan is hereby adopted and attached as Exhibit B.
2. The Amended Language Interpreters and Access to Courts by Persons with Limited English Proficiency Policy, attached as Exhibit C is hereby adopted.
3. The LEP / LAP Plan and Policy shall apply to the Superior Court, Adult Probation Department, Juvenile Court, as well as the Clerk of the Superior Court and is effective immediately.

DATED this 25th day of July, 2014.



Honorable John N. Nelson
Presiding Judge

Copies to:

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- Hon. John N. Nelson
- Hon. Mark Wayne Reeves
- Hon. John Paul Plante
- Hon. Larry Kenworthy
- Hon. David M. Haws
- Hon. Maria Elena Cruz
- Hon. Kathryn Stocking-Tate
- Hon. Stephen J. Rouff
- Hon. Lisa W. Bleich
- Hon. Lynn Fazz, Clerk of the Superior Court
- Margaret C. Guidero, Court Administrator
- Kathleen M. Schaben, Trial Court Administrator
- Sandi L. Hoppough, Chief Adult Probation Officer
- Tim Hardy, Director of Juvenile Court Services
- Cary W. Meister, Court IT Manager
- Sherri L. Williams, Caseflow Manager
- Jon Smith, Yuma County Attorney
- Michael Breeze, Yuma Public Defender
- Jose de la Vara, Yuma Legal Defender
- Ronald F. Jones, Conflict Administrator
- Yuma County Bar Association

U. S. Department of Justice

Civil Rights Division

Assistant Attorney General

Washington, D.C. 20530

August 16, 2010

Dear Chief Justice/State Court Administrator:

In the past decade, increasing numbers of state court systems have sought to improve their capacity to handle cases and other matters involving parties or witnesses who are limited English proficient (LEP). In some instances the progress has been laudable and reflects increased recognition that language access costs must be treated as essential to sound court management. However, the Department of Justice (DOJ) continues to encounter state court language access policies or practices that are inconsistent with federal civil rights requirements. Through this letter, DOJ intends to provide greater clarity regarding the requirement that courts receiving federal financial assistance provide meaningful access for LEP individuals.

Dispensing 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. They may also place state courts in violation of long-standing civil rights requirements. Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000d *et seq.* (Title VI), and the Omnibus Crime Control and Safe Streets Act of 1968, as amended, 42 U.S.C. § 3789d(c) (Safe Streets Act), both prohibit national origin discrimination by recipients of federal financial assistance. Title VI and Safe Streets Act regulations further prohibit recipients from administering programs in a manner that has the effect of subjecting individuals to discrimination based on their national origin. *See* 28 C.F.R. §§ 42.104(b)(2), 42.203(e).

The Supreme Court has held that failing to take reasonable steps to ensure meaningful access for LEP persons is a form of national origin discrimination prohibited by Title VI regulations. *See Lau v. Nichols*, 414 U.S. 563 (1974). Executive Order 13166, which was issued in 2000, further emphasized the point by directing federal agencies to publish LEP guidance for their financial assistance recipients, consistent with initial general guidance from DOJ. *See* 65 Fed. Reg. 50,121 (Aug. 16, 2000). In 2002, DOJ issued final Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons. 67 Fed. Reg. 41,455 (June 18, 2002) (DOJ Guidance). The DOJ Guidance and subsequent technical assistance letters from the Civil Rights Division explained that court systems receiving federal financial assistance, either directly or indirectly, must provide meaningful access to LEP persons in order to comply with Title VI, the Safe Streets Act, and their implementing regulations. The federal requirement to provide language assistance to LEP individuals applies notwithstanding conflicting state or local laws or court rules.

Despite efforts to bring courts into compliance, some state court system policies and practices significantly and unreasonably impede, hinder, or restrict participation in court proceedings and access to court operations based upon a person's English language ability. Examples of particular concern include the following:

1. Limiting the types of proceedings for which qualified interpreter services are provided by the court. Some courts only provide competent interpreter assistance in limited categories of cases, such as in criminal, termination of parental rights, or domestic violence proceedings. DOJ, however, views access to *all* court proceedings as critical. The DOJ Guidance refers to the importance of meaningful access to courts and courtrooms, without distinguishing among civil, criminal, or administrative matters. *See* DOJ Guidance, 67 Fed. Reg. at 41,462. It states that "every effort should be taken to ensure competent interpretation for LEP individuals during *all* hearings, trials, and motions," *id.* at 41,471 (emphasis added), including administrative court proceedings. *Id.* at 41,459, n.5.

Courts should also provide language assistance to non-party LEP individuals whose presence or participation in a court matter is necessary or appropriate, including parents and guardians of minor victims of crime or of juveniles and family members involved in delinquency proceedings. Proceedings handled by officials such as magistrates, masters, commissioners, hearing officers, arbitrators, mediators, and other decision-makers should also include professional interpreter coverage. DOJ 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.

2. Charging interpreter costs to one or more parties. Many courts that ostensibly provide qualified interpreters for covered court proceedings require or authorize one or more of the persons involved in the case to be charged with the cost of the interpreter. Although the rules or practices vary, and may exempt indigent parties, their common impact is either to subject some individuals to a surcharge based upon a party's or witness' English language proficiency, or to discourage parties from requesting or using a competent interpreter. Title VI and its regulations prohibit practices that have the effect of charging parties, impairing their participation in proceedings, or limiting presentation of witnesses based upon national origin. As such, the DOJ Guidance makes clear that court proceedings are among the most important activities conducted by recipients of federal funds, and emphasizes the need to provide interpretation free of cost. Courts that charge interpreter costs to the parties may be arranging for an interpreter's presence, but they are not "providing" the interpreter. DOJ expects that, when meaningful access requires interpretation, courts will provide interpreters at no cost to the persons involved.

3. Restricting language services to courtrooms. Some states provide language assistance only for courtroom proceedings, but the meaningful access requirement extends to court functions that are conducted outside the courtroom as well. Examples of such court-managed offices, operations, and programs can include information counters; intake or filing offices; cashiers; records rooms; sheriff's offices; probation and parole offices; alternative dispute resolution programs; *pro se* clinics; criminal diversion programs; anger management classes; detention facilities; and other similar offices, operations, and programs. Access to these points of public contact is essential to the fair administration of justice, especially for unrepresented LEP persons. DOJ expects courts to provide meaningful access for LEP persons to such court operated or managed points of public contact in the judicial process, whether the contact at issue occurs inside or outside the courtroom.

4. Failing to ensure effective communication with court-appointed or supervised personnel. Some recipient court systems have failed to ensure that LEP persons are able to communicate effectively with a variety of individuals involved in a case under a court appointment or order. Criminal defense counsel, child advocates or guardians *ad litem*, court psychologists, probation officers, doctors, trustees, and other such individuals who are employed, paid, or supervised by the courts, and who are required to communicate with LEP parties or other individuals as part of their case-related functions, must possess demonstrated bilingual skills or have support from professional interpreters. In order for a court to provide meaningful access to LEP persons, it must ensure language access in all such operations and encounters with professionals.

DOJ continues to interpret Title VI and the Title VI regulations to prohibit, in most circumstances, the practices described above. Nevertheless, DOJ has observed that some court systems continue to operate in apparent violation of federal law. Most court systems have long accepted their legal duty under the Americans with Disabilities Act (ADA) to provide auxiliary aids and services to persons with disabilities, and would not consciously engage in the practices highlighted in this letter in providing an accommodation to a person with a disability. While ADA and Title VI requirements are not the same, existing ADA plans and policy for sign language interpreting may provide an effective template for managing interpreting and translating needs for some state courts.

Language services expenses should be treated as a basic and essential operating expense, not as an ancillary cost. Court systems have many operating expenses – judges and staff, buildings, utilities, security, filing, data and records systems, insurance, research, and printing costs, to name a few. Court systems in every part of the country serve populations of LEP individuals and most jurisdictions, if not all, have encountered substantial increases in the number of LEP parties and witnesses and the diversity of languages they speak. Budgeting adequate funds to ensure language access is fundamental to the business of the courts.

We recognize that most state and local courts are struggling with unusual budgetary constraints that have slowed the pace of progress in this area. The DOJ Guidance acknowledges that recipients can consider the costs of the services and the resources available to the court as part of the determination of what language assistance is reasonably required in order to provide meaningful LEP access. *See id.* at 41,460. Fiscal pressures, however, do not provide an exemption from civil rights requirements. In considering a system's compliance with language access standards in light of limited resources, DOJ will consider all of the facts and circumstances of a particular court system. Factors to review may include, but are not limited to, the following:

- The extent to which current language access deficiencies reflect the impact of the fiscal crisis as demonstrated by previous success in providing meaningful access;
- The extent to which other essential court operations are being restricted or defunded;
- The extent to which the court system has secured additional revenues from fees, fines, grants, or other sources, and has increased efficiency through collaboration, technology, or other means;
- Whether the court system has adopted an implementation plan to move promptly towards full compliance; and
- The nature and significance of the adverse impact on LEP persons affected by the existing language access deficiencies.

DOJ acknowledges that it takes time to create systems that ensure competent interpretation in all court proceedings and to build a qualified interpreter corps. Yet nearly a decade has passed since the issuance of Executive Order 13166 and publication of initial general guidance clarifying language access requirements for recipients. Reasonable efforts by now should have resulted in significant and continuing improvements for all recipients. With this passage of time, the need to show progress in providing all LEP persons with meaningful access has increased. DOJ expects that courts that have done well will continue to make progress toward full compliance in policy and practice. At the same time, we expect that court recipients that are furthest behind will take significant steps in order to move promptly toward compliance.

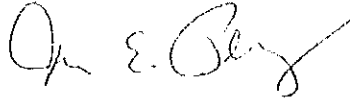
The DOJ guidance encourages recipients to develop and maintain a periodically-updated written plan on language assistance for LEP persons as an appropriate and cost-effective means of documenting compliance and providing a framework for the provision of timely and reasonable language assistance. Such written plans can provide additional benefits to recipients' managers in the areas of training, administrating, planning, and budgeting. The DOJ Guidance goes on to note that these benefits should lead most recipients to document in a written LEP plan their language assistance services, and how staff and LEP persons can access those services. In court systems, we have found that meaningful access inside the courtroom is most effectively implemented in states that have adopted a court rule, statute, or administrative order providing for universal, free, and qualified court interpreting. In addition, state court systems that have strong leadership and a designated coordinator of language services in the office of the court administrator, and that have identified personnel in charge of ensuring language access in each courthouse, will more likely be able to provide effective and consistent language access for LEP

individuals. Enclosed, for illustrative purposes only, are copies of Administrative Order JB-06-3 of the Supreme Judicial Court of Maine, together with the September 2008 Memorandum of Understanding between that court and DOJ. Also enclosed for your information is a copy of "Chapter 5: Tips and Tools Specific to Courts" from DOJ, *Executive Order 13166 Limited English Proficiency Document: Tips and Tools from the Field* (2004).

The Office of Justice Programs provides Justice Assistance Grant funds to the states to be used for state and local initiatives, technical assistance, training, personnel, equipment, supplies, contractual support, and criminal justice information systems that will improve or enhance criminal justice programs including prosecution and court programs. Funding language services in the courts is a permissible use of these funds.

DOJ has an abiding interest in securing state and local court system compliance with the language access requirements of Title VI and the Safe Streets Act and will continue to review courts for compliance and to investigate complaints. The Civil Rights Division also welcomes requests for technical assistance from state courts and can provide training for court personnel. Should you have any questions, please contact Mark J. Kappelhoff, Acting Chief, Federal Coordination and Compliance Section (formally known as Coordination and Review Section) at (202) 307-2222.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom E. Perez", with a stylized flourish at the end.

Thomas E. Perez
Assistant Attorney General

Enclosures

**Superior Court in Yuma County
AMENDED
Language Access Plan (LAP)**

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I. Legal Basis and Purpose

This document serves as the plan for the Arizona Superior Court in Yuma 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 in Yuma County.

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 Census report dated April 2010):

- 1. Spanish
- 2. Navajo
- 3. Chinese
- 4. Vietnamese
- 5. Arabic

B. Superior Court in Yuma County

The Superior Court in Yuma 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. Spanish
- 2. Korean
- 3. Mandarin Chinese

This information is based on data collected from data maintained by Court Interpretation and Translation Services and invoices submitted for interpreter services.

50

51 **III. Language Assistance Resources**

52 **A. Interpreters Used in the Courtroom**

53 **1. Providing Interpreters in the Courtroom**

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55 In the Superior Court in Yuma County, interpreters will be provided at no cost to LEP court
56 customers (including witnesses, victims and parents or guardians) who need such assistance in
57 all courtroom proceedings.

58

59 It is the responsibility of the private attorney, Public Defender or County Attorney to provide
60 qualified interpretation and translation services for witness interviews, pre-trial transcriptions
61 and translations and attorney/client communications out of court proceedings.

62

62 **2. Determining the Need for an Interpreter in the Courtroom**

63

64 The Superior Court in Yuma County may determine whether an LEP court customer needs an
65 interpreter for a court hearing in various ways.

66

67 The need for a court interpreter may be identified prior to a court proceeding by the LEP person
68 or on the LEP person's behalf by counter staff, self-help center staff, family court services, or
69 outside justice partners such as Yuma County Adult Detention Facility staff, Limited Jurisdiction
70 Courts staff, Defense Attorneys, County Attorneys, Victims Services, Probation Officers, Law
71 Enforcement Officers, Social Workers.

72

73 Signage that indicates availability of LEP assistance and interpreter services will be posted in the
74 Yuma County Justice Center at the following locations: Reception Desk(s), Superior Court
75 Clerk's Office and the Law Library.

76

77 The need for an interpreter also may be made known in the courtroom at the time of the
78 proceeding. In a case where the court is mandated to provide an interpreter, but one is not
79 available at the time of the proceeding, even after the court has made all reasonable efforts to
80 locate one, as previously outlined in this plan, the case will be postponed and continued on a date
81 when an interpreter can be provided.

82

83 **3. AOC Interpretation Resources**

84

85 Court Interpreter Registry and Listserv

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

90

91 Additionally, AOC created a statewide listserv to allow courts to communicate via email on
92 court interpreter-related matters. The listserv is an excellent resource to locate referrals for
93 specific language needs. If your court needs access codes or instructions to join the listserv,
94 please contact Carol Mitchell at 602.452.3965.

95
96 **Video Remote Interpreting**

97 The AOC has installed video conferencing equipment at the State Courts building that will allow
98 courts with compatible technology to remotely conference an interpreter from the Phoenix metro
99 area out to their court to improve resource allocation and reduce time and costs associated with
100 interpreter travel.

101

102 **B. Language Services Outside the Courtroom**

103

104 The Superior Court of Yuma County is also responsible for taking reasonable steps to ensure that
105 LEP individuals have meaningful access to services provided by the court outside the courtroom,
106 including routine contact with court personnel and in situations where LEP litigants are ordered
107 to attend mediation, or a treatment or educational program provided by a court employee or by a
108 private vendor under contract with the court.

109

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

112

- 113 • Staff court interpreters and/or independent interpreter contractors;
- 114 • Bilingual employees;
- 115 • Bilingual volunteers;
- 116 • "I Speak" cards, to identify the individual's primary language;
- 117 • Written information in Spanish on how to access and navigate the court;
- 118 • Multilingual signage throughout courthouse locations in the following languages:
 - 119 ✓ Spanish
- 120 • Video remote interpreting services
- 121 • Telephonic interpreter services, (from contract interpreters or Language Line
122 Services); and,
- 123 • A court public phone line with key instructions provided in Spanish to request
124 court services.

125

126 To provide linguistically accessible services for LEP individuals, the Superior Court in Yuma
127 County provides the following:

128

- 129 • Self-help center services that include: bilingual self-help center staff; interpreters
130 for family court services mediation staff for custody and visitation matters; and
- 131 • Written informational and educational materials and instructions in Spanish.

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134 **C. Translated Forms and Documents**

135
136 The Arizona courts understand the importance of translating forms and documents so that LEP
137 individuals have greater access to the courts' services. The Superior Court in Yuma County
138 currently uses forms and instructional materials translated into Spanish.

- 139
140 • The court has translated the following documents into other languages:
141 Fee Waiver and Deferral Forms—Spanish

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143 Translated Spanish documents specific to Yuma County will be continually added.

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145 These documents will be located at:
146 The Yuma County Justice Center Law Library
147 250 W. 2nd Street; Yuma, AZ 85364
148 or on the Web site at <http://www.co.yuma.az.us/index.aspx?page=589>

149
150 Additionally, forms translated into Spanish are available on the following two Web sites:

151
152 Judicial Branch of Arizona, Maricopa County
153 <http://www.superiorcourt.maricopa.gov/superiorcourt/self-servicecenter/>

154
155 Arizona Supreme Court's Spanish-translated webpage at
156 <http://www.azcourts.gov/elcentrodeautoservicio/FormulariosdeAutoservicio.aspx>.

157
158 Interpreters at court hearings are expected to provide sight translations of court documents and
159 correspondence associated with the case.

160
161 **IV. Court Staff and Volunteer Recruitment**

162 **A. Recruitment of Bilingual Staff for Language Access**

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

- 165
166 • Court interpreters to serve as permanent employees of the court;
167 • Bilingual staff to serve at public counters and or self-help centers; and
168 • Bilingual staff available on call to assist with contacts from LEP individuals, as
169 needed.
170
171

172 **B. Recruitment of Volunteers for Language Access**

173 The court also recruits and uses volunteers and interns to assist with language access in the
174 following areas:

- 175
176 • In self-help centers, to assist LEP users;
177 • Judicial Assistance Unit

178

179

180 **V. Judicial and Staff Training:**

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182 The Superior Court in Yuma County is committed to providing language access training
183 opportunities for all judicial officers and staff members. Training and learning opportunities
184 currently offered will be expanded or continued as needed.

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191 *The following two trainings are offered by Yuma County Human Resources:*

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VI. Public Outreach and Education

198 To communicate with the court's LEP constituents on various legal issues of importance to
199 the community and to make them aware of services available to all language speakers, the
200 Superior Court in Yuma County provides community outreach and education and seeks input
201 from its LEP constituency to further improve services. Outreach and education efforts that
202 will be developed include:

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- Public service press releases in English and Spanish provided periodically through newspapers or the Court / CountyWeb site;
- Flyers in English and Spanish providing information on the services offered by the court; the availability of self-help center services and public workshops (if any); and,
- Partnerships and collaborations with Community Legal Services and the Yuma County Bar Association to provide a court presence in the LEP community. The court will solicit input from the LEP community and its representatives through meetings and will seek to inform community service organizations on how LEP individuals can access court services.

215 **VII. Public Notification and Evaluation of LAP**

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217 **A. LAP Approval and Notification**

218 The Superior Court in Yuma County's LAP is subject to approval by the presiding judge and
219 court executive officer. Upon approval, please forward a copy to the AOC Court Services
220 Division. Any revisions to the plan will be submitted to the presiding judge and court executive
221 officer for approval, and then forwarded to the AOC. Copies of Superior Court in Yuma
222 County's LAP will be provided to the public on request and is posted on the court's Web site.

223

224 **B. Annual Evaluation of the LAP**

225 The Superior Court in Yuma County will routinely assess whether changes to the LAP are
226 needed. The plan may be changed or updated at any time but reviewed not less frequently than
227 once a year.

228

229 Each year, the court's Trial Court Administrator will review the effectiveness of the court's LAP
230 and update it as necessary. The evaluation will include identification of any problem areas and
231 development of corrective action strategies.

232

233 *Elements of the evaluation will include:*

- 234 • Number of LEP persons requesting court interpreters;
- 235 • Assessment of current language needs to determine if additional services or
236 translated materials should be provided;
- 237 • Solicitation and review of feedback from LEP communities within the county;
- 238 • Assessment of whether court staff adequately understand LEP policies and
239 procedures and how to carry them out;
- 240 • Review of feedback from court employee training sessions; and,
- 241 • Customer satisfaction feedback.

242

243 **VIII. Formal Complaint Process**

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245 If an LEP court customer believes meaningful access to the courts was not provided to them,
246 they may choose to file a complaint with the trial court's Language Access Plan Coordinator.

247

248 **A. How to file a complaint:**

249

- 250 • Request a Complaint Form at the Justice Center Reception Desk.
- 251 • Print the web site Complaint Form, complete, and return to the address below.
- 252 • Call the Language Access Plan Coordinator (listed below) at (928) 817-4090.
- 253 • Complaint Forms are available in English and Spanish for any court user who
254 feels that he or she was not provided meaningful access to the courts.
- 255 • Each Complaint received will be fully investigated.
- 256 • The Complainant will receive a response within ten (10) calendar days from
257 receipt of complaint.

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B. Trial Court Language Access Plan Coordinator:


Kathleen M. Schaben, Trial Court Administrator
250 W. 2nd Street
Yuma, AZ 85354
(928) 817-4090
KSchaben@courts.az.gov

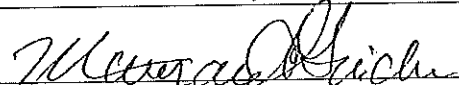
C. AOC Language Access Contact:

Carol Mitchell, Court Access Specialist
Court Services Division
Administrative Office of the Courts
1501 W. Washington Street, Suite 410
Phoenix, AZ 85007
(602) 452-3965, cmitchell@courts.az.gov

D. LAP (Amended) Effective date: 7/25/14

E. Approved by:

Presiding Judge:  Date: 7/25/14

Court Administrator:  Date: 7/25/14

282 **Superior Court, Superior Court Clerk's Office,**
283 **Juvenile Court, Justice Courts, and Adult Probation in Yuma County**
284 **Limited English Proficiency (LEP) Complaint Form**
285

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

294 If you feel you have not been provided meaningful access to any court or probation service
295 and/or activity, please complete this form and return it to:

296 Yuma County Justice Center, Court Administration, 250 W. 2nd Street, Yuma, Arizona 85364.
297 PLEASE COMPLETE AND SIGN:

298 **I. Complainant Information:**
299

300 Name: _____

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

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

303 Primary Language: _____

304 **II. Complaint Description:**
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306 Name or Department and/or Program/Service/Activity: _____

307 Name of individual (s) involved if known: _____

308 Address where incident occurred: _____

309 Date of incident: _____

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

312 Signature: _____ Date: _____

313 *The Superior Court, Superior Court Clerk's Office, Juvenile Court, Justice Courts, and Adult*
314 *Probation in Yuma County are committed to improve access to their programs, services and*
315 *activities for persons who are Limited English Proficient.*

316 This form is available in Spanish.
317

318 **Tribunal Superior, la Oficina del Actuario del Tribunal Superior, el Tribunal de Menores, Juzgados**
319 **de Paz, Depto. de Régimen a Prueba para Adultos del Condado de Yuma**
320 **Formulario de Queja para la Prestación de Servicios a la Persona con Dominio Limitado de Inglés**
321

322
323 Según reza la Fracción 602 del Título VI de la Ley de Derechos Civiles de 1964, 42 U.S.C. 2000d
324 "En los Estados Unidos de América toda persona, no importa su raza, etnia, u origen nacional gozará de
325 la participación en los beneficios que surgen de todo programa u actividad que reciba asistencia
326 económica federal." Uno de los motivos por el cual se promulgó esta ley fue el de asegurar el acceso
327 significativo a los programas, servicios y/o actividades e información prestados por toda entidad que
328 reciba asistencia económica federal a los que tengan capacidad limitada de leer, hablar, escribir o
329 entender el inglés.

330
331 Si Ud. opina que no le han prestado acceso importante a un servicio o actividad patrocinado por el
332 tribunal o el departamento de régimen a prueba, por favor, llene el siguiente formulario y devuélvalo a:
333 Yuma County Justice Center, Court Administration, 250 W. 2nd Street, Yuma, Arizona 85364.

334 **POR FAVOR, LLENE Y FIRME LO SIGUIENTE:**
335

336 **I. Particulares de la Parte Quejosa:**

337 Nombre y apellido(s) _____

338 Dirección domiciliaria o de contacto: _____ Cd./Edo./Código Postal _____

339 Teléfono: Casa () _____ Otro número: () _____

340 Idioma principal: _____

341 **II. Pormenores de su Queja:**

342 ¿Cuál es el Departamento y/o Programa o Servicio o Actividad de que desea
343 quejarse? _____

344 _____
345 Nombre de la persona sujeta de su queja (si lo sabe) _____

346 Local en que ocurrió el incidente: _____

347 Fecha del incidente: _____

348 Mencione los detalles de cómo fue que le negaran acceso importante a su diligencia: (Incluya todos
349 los pormenores y adjunte otras hojas si es necesario)

350 _____

351 _____

352 Firma: _____ Fecha: _____

353
354 *El Tribunal Superior, la Oficina del Actuario del Tribunal Superior, el Tribunal de Menores,*
355 *Juzgados de Paz, y el Depto. de Régimen a Prueba para Adultos del Condado de Yuma se*
356 *comprometen a ampliar el acceso a sus programas, servicios y actividades para los que*
357 *tienen dominio limitado del inglés.*
358

Language Interpreters and Access to the Courts Policy

Pursuant to the Superior Court in Yuma County Language Access Plan signed on 1/3/12 and subsequently amended on 11/12/13, the court is committed to providing language access to all court users at no cost to the parties.

Currently, Superior Court in Yuma County has two Spanish Interpreters on staff. Spanish⇔English services that can't be provided by staff will be provided by contract interpreters. Contract interpreters will provide services for all other languages. Under normal circumstances, at least one week's notice is requested for Spanish interpreter services. Two week's notice is requested for all other languages.

- The Court identifies criminal defendants who require interpreter services in the AJACS Case Management System.
- Attorneys must inform the Court of services required for victims and witnesses.
- Attorneys and/or parties must inform the Court of services required for Domestic Relations and Civil cases.

The court will make all reasonable efforts to supply interpreters in all court proceedings where a party, witness or victim requires such services.

If an interpreter cannot be secured for proceeding involving Limited English Proficiency (LEP) court users due to inadequate notice or lack of availability of qualified interpreters, the following alternative actions can be taken:

- Language Line Services (Telephonic Interpreter Services) can be used to conduct the hearing if the judge determines that this service is appropriate for the hearing.
- The proceeding will be continued and arrangements will be made for services for the next court date.
- If the parties appear in court for a Domestic Relations or Civil case with an interpreter(s) not approved as qualified for Superior Court in Yuma County, the parties may agree to proceed with judge approval. Prior to any stipulation to proceed, it should be made clear to the parties that either party can elect to continue the proceeding to receive an interpreter provided by the court, at no cost.
- In order to make reasoned decisions based on the accurate interpretation of the parties' testimony, the use of untrained interpreters and family members is strongly discouraged. Bilinguals (including non-interpreter staff) without appropriate training are unfamiliar with terminology in the target language; court protocol; modes of interpretation; and interpreter codes of ethics. Untrained bilinguals may not recognize conflicts of interest and are typically unable to provide a complete rendition of all communications.

Interpreter Services Priorities

In Court

1. Requests for and Hearings on:
 - Orders of Protection
 - Injunctions against Harassment
2. Mental Health Hearings
3. Juvenile Delinquencies and Dependencies
4. Criminal Trials and Hearings
5. Forcible Detainer and Eviction Hearings
6. Title IV-D Child Support Hearings
7. Default Divorce Hearings
8. Hearings on the following case types have similar priority level and must be evaluated on a case by case basis.
 - Domestic Relations
 - Guardianships/Conservatorships
 - Probate
9. Civil Cases

Out of Court

10. Conflict Administrator Attorneys Interviews-Jail
11. Conflict Administrator Attorneys Interviews-Office
12. Conciliation Court Mediation and Counseling Sessions

How to Obtain Services

Contact the Court Interpreter's Office at (928) 817-4092; (928) 817-4051; (928) 817-4069; (928) 817-4090

Or

Email your request to yumaci@courts.az.gov