

Gilbert Municipal Court Language Access Plan

Introduction

It is acknowledged that not all individuals in the United States are able to read, write and speak English proficiently. The latest U.S. Census Bureau data indicates that the Town of Gilbert's population consists of 85.7 % White persons, 2.4 % Black persons, 0.6 % American Indian or Alaskan Native persons, 3.6% Asian persons, 0.1 % Native Hawaiian or Pacific Islander persons, and 11.9% Hispanic or Latino persons. It is estimated that the Gilbert Municipal Court provides interpreter services for approximately 900 events each calendar year with approximately 95% of our language services dedicated to Spanish speakers. As a result, the Court requests sufficient appropriations from its funding authority each fiscal year to ensure the delivery of interpreter services. Fortunately, the Town of Gilbert has always been agreeable to providing that funding. These appropriations include funding for an on-staff part-time Spanish Interpreter and contracted interpreters for less prevalent languages.

The purpose of this plan is to ensure accessibility to those individuals and to comply with Federal Regulations concerning access to court services. There are two documents that provide the foundation for the development of this plan: Title VI of the 1964 Civil Rights Act and Executive Order 13166. In order to comply with Title VI, agencies receiving federal funding should take reasonable actions for competent language assistance. Executive Order 13166 clarifies requirements for LEP (Limited English Proficiency) persons under Title VI. The Executive Order requires the agency to examine the services it provides and develop and implement a method by which LEP persons can meaningfully access those services. This Court uses the terms LEP (Limited English Proficiency) and LAP (Language Access Plan) interchangeably.

There are 7 steps to the Gilbert Municipal Court's LEP plan:

1. Identifying LEP individuals
2. Language assistance measures
3. Training court personnel
4. Providing notice to LEP persons
5. Complaints
6. Dissemination of the plan
7. Monitoring and updating the plan

1. Identifying LEP individuals who need language assistance

Citation/Complaint:

In most instances LEP individuals are identified by the charging authority by their writing the customer's language on the Arizona Traffic Ticket and Complaint or the long form complaint. As a result, the customer's language is entered into the court's case management system at the point of data entry. From that point on languages, other than English, are prominently displayed when working on any case attached to the customer.

Telephone:

Court services staff identify LEP individuals when customers call the court to inquire about their cases or for other assistance. In the case of Spanish speakers the court is able to provide a Spanish speaking representative to assist the caller. In these cases the language is entered into the court's case management system. In cases involving languages other than Spanish it is most often the case that the court customer has a friend or relative interpret for him/her and once the language is identified it is then entered into the court's case management system.

Courtroom:

Judges and court services staff identify LEP individuals at their first appearance in court. In the case of Spanish speaking individuals once the language is identified it is entered into the court's case management system and the court is able to provide a Spanish interpreter immediately to assist the individual. For languages other than Spanish, once the language is identified it is entered into the case management system and a subsequent hearing is scheduled with the appropriate interpreter.

2. Language assistance measures

Direct Assistance:

Staff Interpreter

The court has one part time Spanish interpreter who works limited hours during the court's operational day and is available via telephone on weekends to assist Spanish speaking in-custody defendants. This interpreter is available for direct assistance for incoming telephone calls, at the service counter and in our courtrooms. This interpreter is also responsible for scheduling the court's interpreting needs for civil and criminal court proceedings.

Contracted Interpreters

The court maintains contracts with interpreting agencies and individual interpreters to ensure an availability of qualified and diverse interpreting services designed to meet our customers' specific needs. Our most common language needs include: Spanish, Vietnamese, Chinese, Korean and Russian.

Bilingual Personnel

The court has six bilingual Spanish speaking staff members and one staff member who speaks English, Spanish, Portuguese and Italian. These staff members are available to assist customers on the telephone, at the court service counter and in our courtrooms at the initial appearance or arraignment stage of case processing. Our staff members do not provide language assistance to LEP individuals beyond the arraignment stage of case unless it becomes necessary to advise the customer of an inability to proceed due in the rare instance that the interpreter becomes unavailable.

Indirect Assistance:

Telephone

The court's main line auto-attendant directs Spanish speaking callers to a specific line that is answered by bilingual personnel proficient in Spanish.

Internet

The court is in the process of developing a Spanish version of our web page and online forms.

Texting (Mobile Devices)

The court maintains and monitors an e-mail address dedicated to receiving and responding to SMS (text) messages originating from hearing/speech impaired customers using mobile devices. SMS (text) messages can be sent to **gilbertmunicipalcourt@gilbertaz.gov**

Audio Assistance

The court has the ability to outfit its courtrooms with an audio amplification device that utilizes the court's audio recording system to enhance the user's listening experience.

3. Training Court Personnel

Acknowledging that preparation and education are paramount to executing a meaningful plan all court personnel are instructed about the court's LEP plan and how to implement the plan as necessary to serve our customers at new employee orientation and at a minimum every two years. Instructional topics include:

- a. The LEP plan itself and its history
- b. Court policy and procedure
- c. Specific assistive measures
- d. How to use the Census Bureau's "I Speak..." multi-language identification handout

4. Providing notice to LEP individuals

Notice is provided through the court's main line telephone auto attendant, web page, bond card and signage within the court facility and by court personnel when an LEP individual is identified.

5. Complaints

Complaints concerning LEP issues are reviewed by court administration and forwarded to the Town of Gilbert Human Resource Division to address potential discrimination allegations. Complainants may also address this issue directly with the Town of Gilbert by initiating *Section 504 Complaint Procedures*.

6. Dissemination of the LEP plan

The court's LEP plan is readily available on the court's web page at <http://www.gilbertaz.gov/court/> and shall be provided to any person or agency requesting a copy. Translations of the plan are also available upon request.

7. Monitoring and updating the plan

The court at a minimum shall follow the Title VI program update schedule for the LEP plan. As this court sees diversity as an ongoing, and desired, issue its LEP plan will evolve as needs are identified and as solutions are implemented. This shall include ensuring requests for financial appropriations suitable to fund a sincere LEP response.

Questions or comments concerning this LEP plan should be directed to:

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