

## **CAREFREE-CAVE CREEK CONSOLIDATED COURT**

### **Language Access Plan (LAP)**

#### **I. Legal Basis and Purpose**

This document serves as the plan for the Carefree-Cave Creek Consolidated 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 with the Carefree-Cave Creek Consolidated 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 2014):

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

##### **B. Carefree-Cave Creek Consolidated Court**

The Carefree-Cave Creek Consolidated Court is responsible to provide 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.

1. Spanish

This information is based on data collected from this court’s data.

#### **III. Language Assistance Resources**

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

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

In the Carefree-Cave Creek Consolidated Court, COURT interpreters are provided in all courtroom proceedings at no cost to all LEP court customers including witnesses, victims and parents, guardians, and family members of minors as well as any other person whose presence or participation is necessary or appropriate as determined by the judicial officer.

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

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

The Carefree-Cave Creek Consolidated Court may determine whether a court customer has limited English proficiency. Identification of language needs at the earliest point of contact is highly recommended. The need for a court interpreter may be identified prior to a court proceeding by the LEP person or on the LEP person's behalf by counter staff, attorneys, social workers or correctional facilities. All LEP needs for parties are identified on the physical as well as the electronic case file.

Signage throughout the court building indicating interpreter services are available may also help to identify LEP individuals. The Carefree-Cave Creek Consolidated Court displays this sign at the following location: **Court lobby glass enclosed bulletin board.**

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, even after the court has made all reasonable efforts to locate one, as previously outlined in this plan, the case will be postponed and continued on a date when an interpreter can be provided.

### **3. 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, 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. Access codes and instructions to join the listserv, may be obtained from the AOC language access contact person.

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

The Carefree-Cave Creek Consolidated Court is also responsible for taking reasonable steps to ensure that LEP individuals have meaningful access to all court services and programs outside the courtroom. Court services and programs include but are not limited to self-help websites, use of interpreters at the front window, and use of telephonic translation services if an on-site interpreter is not available.

### **1. ASSISTANCE TO UNDERSTAND COURT PROCEDURES AND POLICIES**

Services offered by the court generally to English-speaking customers pursuant to the Employee Code of Conduct (ACJA Sec. 1-303) will also be provided to LEP litigants in their language.

### **2. ASSISTANCE TO FILL OUT COURT FORMS**

The Carefree-Cave Creek Consolidated Court will assist in the filling-out of court forms for those LEP court customers who are unable to do so either by themselves or with the assistance of another competent adult proficient in English and able to render assistance in a timely manner.

### **3. COURT-ORDERED SERVICES AND PROGRAMS**

The court will ensure that LEP individuals have meaningful access to all court-ordered services and programs. Court-ordered services and programs include but is not limited to conciliation, mediation, arbitration, treatment or educational programs provided by a court employee or a private vendor under contract with the court 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:

- Independent interpreter contractors;
- “I Speak” cards, to identify the individual’s primary language;
- Written information in Spanish on how to access and navigate the court;
- Multilingual signage throughout courthouse locations in the following languages: Spanish;
- Telephonic interpreter services, (from contract interpreters or an agency); and
- Providers of court-ordered services.

To provide linguistically accessible services for LEP individuals, Carefree-Cave Creek Consolidated Court provides the following:

- Telephonic language assistance.
- Written informational and educational materials and instructions in Spanish.
- Website link from court’s website: <http://www.carefree.org> to the Supreme Court’s Spanish translated webpage for court forms and instructions and other language access related resources such as the courts’ LAP and complaint form and process are available online.

### **C. COURT APPOINTED OR SUPERVISED PERSONNEL**

The Carefree-Cave Creek Consolidated Court also shall ensure that court appointed or supervised personnel, including but not limited to child advocates, guardians ad litem, court psychologists and doctors 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 Carefree-Cave Creek Consolidated Court currently uses forms and instructional materials translated into translated into Spanish:

- **Financial Statement Application**
- **Arraignment Information Sheet**
- **Pre-Trial Conference Information Sheet**
- **Domestic Violence Conviction Warnings**
- **Formal Complaint Form**

These documents are located at 37622 N. Cave Creek Road, Suite B, Cave Creek, AZ 85331.

#### **1. SIGHT TRANSLATION**

The court will provide assistance so LEP persons may understand court-issued documents provided in English through sight translation or other reasonable means.

### **E. WEBSITE/ONLINE ACCESS**

Language accessibility includes the following:

- A hyperlink to: Arizona Supreme Court's Spanish-translated webpage at <http://www.azcourts.gov/elcentrodeautoservicio/FormulariosdeAutoservicio.aspx>.
- Town of Carefree website: <http://www.carefree.org/>
- Arizona Court Help website: <http://azcourthelp.org/>, which can be translated into numerous languages.

Interpreters at court hearings provide sight translations of court documents and correspondence associated with the case.

## **IV. Court Staff and Volunteer Recruitment**

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

The Carefree-Cave Creek Consolidated 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:

- Regular interpreter contractors of the court.
- Bilingual staff to serve at public counters; and
- For face to face encounters, as well as telephone conversations, the Carefree-Cave Creek Consolidated Court of Maricopa County uses the Language Line when on-site interpreters are not available.

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

The Carefree-Cave Creek Consolidated Court is committed to providing language access training opportunities for all judicial officers and staff members. Training and learning opportunities currently offered will be expanded or continued as needed. Those opportunities include:

- Interpreter coordinator training;
- Diversity Training;
- Cultural competency training;
- LAP training;
- New employee orientation training; and,
- Judicial officer orientation on the use of court interpreters and language competency.
- AOC's Language Access in the Courtroom Training DVD
- AOC's Language Access Online Training Videos

#### **VI. Public Outreach and Education**

NOTE: The community populations of the Town of Carefree and Town of Cave Creek total 8,378 (2010 Census). Therefore, due to community size and limited resources, there are no active outreach programs at this time.

##### **A. Videos, webinars, on-line classes, in-person classes and other similar instructional methods.**

NOTE: Currently, the court does not produce nor publish any videos. Should that change in the future, the court will incorporate modifications into the LAP.

#### **VII. 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 has 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.

- Instructions on how to file a complaint and to where the complaint should be directed are outlined in the complaint form.
- Translated versions of the complaint form are available in multiple locations, including, but not limited to:
  - Forms posted on the court's website and
  - Hard copy forms available at the counters.

## **VIII. Public Notification and Evaluation of LAP**

### **A. LAP Approval and Notification**

The Carefree-Cave Creek Consolidated Court's LAP is approved by the presiding judge and court executive officer. Copies of Carefree-Cave Creek Consolidated Court's LAP will be provided to the public on request.

### **B. Evaluation of the LAP**

The Carefree-Cave Creek Consolidated Court will routinely assess whether changes to the LAP are needed. The plan may be changed or updated at any time but reviewed not less frequently than biennially.

Biennially, the court's Administrator will review the effectiveness of the court's LAP and update it as necessary. 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;
- Assessment of whether court staff adequately understand LEP policies and procedures and how to carry them out;
- Review of feedback from court employee training sessions; and,
- Customer satisfaction feedback;
- Review of any language access complaints received during this time period.

### **C. Trial Court Language Access Plan Coordinator:**

Jennifer Curtiss, Court Administrator  
Carefree-Cave Creek Consolidated Court

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Cave Creek, Arizona 85331  
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**D. AOC Language Access Contact:**

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Administrative Office of the Courts  
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**E. LAP Effective date: December 1, 2011**  
**Modified: August 1, 2019**

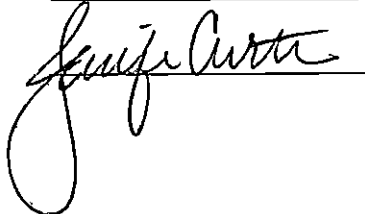
**F. Approved by:**

Presiding Judge:



Date: August 7, 2019

Court Executive Officer:



Date: August 7, 2019