

STATE OF MICHIGAN  
IN THE 42<sup>nd</sup> DISTRICT COURT

In re: Language Access Plan

Local Administrative Order # 2014-01

IT IS ORDERED:

This Joint Local Administrative Order is issued in accordance with Supreme Court Administrative Order 2013-8 and MCR 1.111. The purpose of this Order is to establish a Language Access Plan (LAP) to provide for the language access needs of court users. This LAP is the plan for the Court to ensure meaningful access to court services for persons with limited English proficiency (LEP). A LEP person is a person who does not speak English as his or her primary language, and who has a limited ability to read, write, speak, or understand English, and by reason of his or her limitations, is not able to understand and meaningfully participate in the court process.

The purpose of the plan is to provide a framework for the provision of timely and effective language assistance to LEP persons who come in contact with the Court.

The Court has appointed a language access coordinator to be a contact person for the public, court staff, and SCAO concerning this plan and its implementation. The language access coordinator may be contacted through the 42<sup>nd</sup> District Court Administrator's Office.

I. NEEDS ASSESSMENT

A. Census Data

The Court will make every effort to provide service to all LEP persons in the Court's service area. The following list shows the non-English languages most frequently spoken in the Court's physical jurisdiction:

1. Spanish
2. Italian
3. Polish
4. German

B. Court Experience

Based on court usage, the following list shows other non-English languages spoken in the Court and not reflected in the U.S. Census data.

1. Dialects of Other Slavic Languages
2. Dialects of French
3. Dialects of Serbo-Croatian

C. Identification of LEP Persons

Court staff use the following methods to identify LEP persons:

1. "I Speak" cards

2. Bilingual family and/or friend with the individual

## II. LANGUAGE ASSISTANCE RESOURCES

### A. Interpreters Used in the Courtroom

The Court will offer assistance to LEP persons in the courtroom by providing foreign language interpreters as required by Michigan Court Rule 1.111.

### B. Language Services Outside the Courtroom

The Court will take reasonable steps to ensure that LEP persons have meaningful access to services outside the courtroom. This is one of the most challenging situations facing court staff, because in most situations they will encounter LEP persons without an interpreter present. LEP persons may come in contact with court personnel via:

1. Court security checkpoints
2. Information desk in lobby of court buildings, i.e. District Court
3. District Court Clerk's Office
4. Cashier Window
5. Jury Room
6. Probation Department

Court staff will consult with the Court's language access coordinator to determine what type of language service should be made available, based on the nature and importance of the Court service to be provided and the resources available. The following language services are available:

1. In-person interpreter
2. Telephonic Services

### C. Service Referrals

The Court will make reasonable efforts to ensure that a non-federally funded entity to which the Court refers LEP persons for services has provisions for addressing their needs. The Court will consider viable alternatives if language access is not provided by such a non-federally funded entity.

### D. Forms & Documents

The State Court Administrative Office (SCAO) makes select translated forms available to the Courts at:

<http://courts.michigan.gov/Administration/SCAO/Forms/Pages/default.aspx>.

1. Additional translated forms available to court users include:
  - a. Advice of Rights to Timely Appeal (Spanish)
  - b. Request for Appointment of Appellate Counsel (Spanish)

When in-person interpreters are hired for court proceedings, they are expected to provide sight interpretation of documents for LEP persons.

2. Courthouse translation for LEP:
  - a. Frequently asked questions card
  - b. Telephonic interpreter service

E. Other Provisions

In an effort to provide LEP persons language access to court information, the Court also provides the following:

1. No other services at this time

III. TRAINING

The Court is committed to training its judges and court staff and coordinating with county clerks on providing LEP persons with meaningful access to court services. When the Court provides training sessions, it will include a component addressing LEP policy and procedure and the Court's LAP. The Court is aware that staff members having contact with the public are more likely to need in-depth training on LEP policy and procedure.

The Court will work with SCAO and MJI to ensure that all employees are trained on LEP policy and procedures. Training will be offered to assist judges and staff to identify and respond to LEP persons, increase awareness of the types of language services available, guide when and how to access those services, and effectively use language services.

The Court provides to judges and court staff, and offers to county clerks, the following training regarding language access:

1. A copy of the LAP to all court staff
2. Post the LAP on the Macomb County intranet and internet website
3. A copy of the LAP in new employee packet
4. Seminars with staff as required

IV. PUBLIC NOTIFICATION AND EVALUATION OF LANGUAGE ACCESS PLAN

A. Language Access Plan Approval and Notification

The Court's LAP has been approved by the State Court Administrative Office. The Court will post its LAP on its public website or public notification area within the courthouse and will make copies of the LAP available upon request. If space is available in marketing materials, notice will be given about the LAP.

The Court consulted with the following members of the community in creating its LAP:

1. Macomb County Health Department Director
2. MDOC

B. Evaluation and Review of LAP

At the direction of SCAO, or on its own initiative, the Court will assess whether the LAP needs updating. The LAP will remain in effect unless modified or updated. Review of the following areas may indicate a need to update the LAP:

1. Number of LEP persons requesting court interpreters or language assistance
2. Funding provided or available for language services
3. Current language needs to determine if additional services or translated materials should be provided
4. Feedback from LEP communities within the county

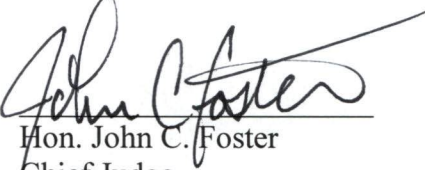


5. Court staff (turnover, new hires, etc.)
6. Feedback from trainings provided by the Court or SCAO/MJI
7. Viability of identified language services and resources
8. Problem areas and corrective action strategies
9. Updated census data

The language access coordinator for this Court ensures this plan is followed, advises the Court on potential updates to this plan and coordinates the language access needs for the Court as they arise. The Court has identified the name and contact information of the language access coordinator and advised the State Court Administrative Office. The Court will notify the SCAO regional office of any changes to the language access coordinator's contact information, or if a new language access coordinator is named.

Effective Date: \_\_\_\_\_

Date: February 18, 2014

  
Hon. John C. Foster  
Chief Judge  
42<sup>nd</sup> District Court