

STATE OF MICHIGAN
IN THE DISTRICT COURT FOR THE 16TH JUDICIAL DISTRICT

Amendment to Administrative Order 2045

At a session of said Court held in the courthouse in the City Of Livonia, Wayne County, Michigan, the 25 day of February, 2014.

PRESENT: HON. KATHLEEN J. McCANN
PRESENT: HON. SEAN P. KAVANAGH

LANGUAGE ACCESS PLAN

In accordance with Supreme Court Administrative Order 2013-8, the court establishes this 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 limited English proficient 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 court administrator's office.

IT IS ORDERED:

Section 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. Arabic
3. Chinese

4. Polish
5. Italian

B. Court Experience

Based on court usage, the following list shows other non-English languages spoken in the court and not reflected in the US Census data. [*If the census data accurately reflects what the court experiences, leave this section blank*].

1. Various African Languages
2. Hmong
3. Albanian
4. _____

C. Identification of LEP Persons

Court staff use the following methods to identify LEP persons: [*List the ways that court staff identify an LEP person and determine the language he or she speaks, such as using “I Speak” cards, posting signage in multiple languages, assistance from bi-lingual employees*].

1. Written notice
2. Assistance from bi-lingual employees (Spanish, Serbian & Macedonian)
3. Looking into implementing “I speak” cards
4. _____

Section 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: [*in the space below, list most common points of service outside the courtroom, such as the phone, counter, information desk*].

- Telephone
- Counter
- Probation
- Lock-up
- Baliffs
- Security

- _____

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 resources available. The following language services are available: ***[in the space below, list language services available outside the courtroom such as “I Speak” cards, bi- or multi-lingual employees, telephonic interpreter services, in-person interpreters]***.

- The court has a separate LAO appointing In-person interpreters through University Translators Service, Inc.
- The court has a separate LAO appointing a Spanish translator
- The Director of Probation/Deputy Court Administrator who is proficient in Spanish assists when required to aid in any Spanish interpretation that may be required by an individual at the courts public counter and also in other areas of the court as needed. This is for general interpretation purposes only and if it is an in-court matter we bring in an interpreter from our certified interpreter list.
- Upon receipt of a request for an interpreter for a court proceeding the staff contacts the LAP coordinator, currently the Court Administrator, who takes the steps needed to provide a certified interpreter.
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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: ***[If the court provides any translated forms or documents, please list them and the corresponding foreign language(s) in the space below; if it does not, leave the section blank]***.

- Advice of Rights DC213 (Arabic, Chinese, Hmong, Russian, 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 [*list resources available to help LEP persons translate written materials in the courthouse, including signage in frequently encountered languages, clerk of the court interactions, etc.*]
 - o Advise of rights (Limited languages)
 - o Court maintains a list of interpreters that are available through University Translators Service, LLC
 - o _____

E. Other Provisions

In an effort to provide LEP persons language access to court information, the court also provides the following: [*If the court has made its website or other information accessible in foreign languages, please explain here; if it has not, leave this section blank*].

- In process of implementing
- _____
- _____
- _____

Section 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 procedure. 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: [*If the court provides any training on assisting LEP persons, please explain here. If not, leave blank*].

- The Court has designated the Court Administrator and Deputy Court Administrator as the liason to provide access to interpreters for LEP’s
- In future will look to SCAO for training
- Director of Probation speaks regularly as a guest to language/translation students at Madonna University regarding court expectations

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Section 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 (if available) or public notification area within the courthouse and will make copies of the LAP available upon request.

The court consulted with the following members of the community in creating its LAP: *[In preparing its plan, the court may want to seek input on providing language access from the LEP community it serves. If the court chooses to do so, please indicate what outside sources it consulted; if not, leave blank].*

- We have been unable to find any local sources that have instituted a LAP, but will continue as time permits to seek out.
- _____
- _____

B. Evaluation and Review of the 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:

- Number of LEP persons requesting court interpreters or language assistance
- Funding provided or available for languages services
- Current language needs to determine if additional services or translated materials should be provided
- Feedback from LEP communities within the county
- Court staff (turnover, new hires, etc.)
- Feedback from trainings provided by the court or SCAO/MJI
- Viability of identified language services and resources
- Problem areas and corrective action strategies
- 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: 2/25/14

Date: 2/25/14

Chief Judge Signature: 
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