

CONNECTICUT JUDICIAL BRANCH LANGUAGE ACCESS PLAN

Limited English Proficiency

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INTRODUCTION

The purpose of this Language Access Plan is to eliminate or reduce – to the maximum extent practicable – limited English proficiency as a barrier to accessing programs or activities of the Connecticut Judicial Branch. This Plan establishes guidelines in accordance with Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, 65 Fed. Reg. 50,121 (Aug. 16, 2000) and the Connecticut Judicial Branch Policy Statement.

1. POLICY STATEMENT REGARDING LIMITED ENGLISH PROFICIENCY

(Revised and Approved January 2011)*

The Judicial Branch of the State of Connecticut is committed to providing meaningful access to the court system and its programs and services. The Branch prohibits discrimination on the basis of national origin, which includes discrimination against Limited English Proficient (LEP) persons. Limited English Proficient (LEP) persons are individuals who do not speak English as their primary language and who have a limited ability to read, speak, write or understand English.

Federal law, specifically Title VI of the Civil Rights Act of 1964, the Omnibus Crime Control and Safe Streets Act of 1968, the Victims of Crime Act of 1984 and the Juvenile Justice Delinquency Prevention Act of 1974, prohibits discrimination on the basis of national origin. Title VI's prohibition of discrimination on the basis of national origin has been interpreted by courts to include discrimination on the basis of English proficiency. Individuals who are LEP are to be provided meaningful access to programs and services. Providing meaningful access will generally involve some combination of oral interpretation services and written translation of vital documents.

The Judicial Branch has taken steps to provide meaningful access to limited English proficient individuals who access the court system.

Committee on Limited English Proficiency

The Chief Justice appointed a Committee on Limited English Proficiency and charged it with "eliminating barriers to facilities, processes and information that are faced by individuals with limited English proficiency." The Committee conducted detailed surveys of internal and external users to craft numerous recommendations, many of which have been implemented. It is an ongoing Committee; detailed information about the work of this committee may be found at <http://www.jud.ct.gov/Committees/pst/lep/default.htm>.

Interpreter and Translator Services

The Judicial Branch has an Interpreter and Translator Services Unit within the Superior Court Operations Division. This unit was established by the Judicial Branch to service individuals who are limited English proficient in court and court-related proceedings at no cost to the parties. The State of Connecticut Judicial Branch is a member of the National Center for State Courts (NCSC) Court Interpreter Consortium Program, comprised of 41 member states. The Consortium dedicates itself to fairness, integrity, service and collaboration by inspiring and enabling its members "to promote equal access to justice in courts and tribunals by eliminating language barriers for persons with limited English proficiency." One benefit, among many, is having access to proficiency examinations for certification purposes.

One of the goals of the Interpreter and Translator Services Unit is to ensure meaningful access to the courts by providing interpreters, who are highly qualified and trained, to all persons who are limited English proficient in all court proceedings and court-related proceedings. This access is to be extended to LEP parties and other LEP individuals whose presence or participation is appropriate to the justice process.

Court interpreters serve the Connecticut Superior Court by helping to provide due process for persons who are limited English proficient. Court interpreters must not only be bilingual and bicultural; they must be educated speakers of English and another language, and be able to interpret all levels of discourse in court proceedings.

In addition to interpreter services, the Unit provides translation services. New technology is being used to expand and expedite the translation of information materials and documents.

Telephonic Language Services

The Connecticut Judicial Branch has contracted for telephonic language assistance services which enable Judicial Branch staff and individuals who are limited English proficient to communicate with the use of a telephone. This language assistance is available in more than 170 languages, 24 hours a day, 7 days a week. It is available in all court locations and other Judicial Branch facilities, including but not limited to adult probation offices, support enforcement offices, and the centralized infractions bureau.

Internet and Intranet

The Connecticut Judicial Branch is in the process of posting information regarding limited English proficiency on the Branch's Internet and Intranet websites. Information on the Internet site includes the Branch's LEP policy statement, answers to frequently asked questions and links to various resources. Information on the Intranet site provides employees with internal administrative procedures for accessing interpreter and translation services.

Additionally, the Connecticut Judicial Branch has translated a number of web pages to Spanish. See <http://www.jud.ct.gov/Committees/pst/lep/default.htm>. Included are a list of publications and informational materials that have also been translated into Spanish as well as a video.

Training Employees

The Branch has developed a training program to increase the awareness of employees of federal non-discrimination rights, laws and guidelines and to ensure that all employees understand the Branch's obligations to provide meaningful access to information and services to persons who are limited English proficient. This program also offers cultural sensitivity education and provides information and materials to employees regarding how to obtain language assistance and translation services when needed immediately as well as for future dates.

Language Identification Materials

Language identification posters have been produced by the Judicial Branch for use in offices, lobbies, reception areas and other appropriate locations; they are available throughout Branch facilities.

Printed desk aids have been produced for employees to provide procedural information for accessing language assistance services.

*The policy will be reviewed by the LEP Committee, as it deems appropriate, on a periodic basis but not less than once every two years, and recommendations for changes will be submitted to the Chief Court Administrator for approval.

2. COMMITTEE ON LIMITED ENGLISH PROFICIENCY

The Committee on Limited English Proficiency was established in 2008 by the Chief Justice and charged with eliminating barriers to facilities, processes and information that are faced by individuals with limited English proficiency. The Committee is ongoing and is continually reviewing, developing and implementing initiatives that enhance access to services to individuals who are limited English proficient. Details of the work of the committee are posted on the Judicial Branch Internet site at <http://www.jud.ct.gov/Committees/pst/lep/default.htm>, which includes various reports that specify the activities that have been completed. Outreach efforts to communities serving the LEP population are one of the many activities undertaken by the Committee and continues on an ongoing basis.

3. INTERPRETER AND TRANSLATOR SERVICES UNIT

Interpreter and Translator Services (ITS) is a unit of the Superior Court Operations Division that was established to provide qualified interpreting and translation services to persons with limited English proficiency in all court and court-related matters at no cost. As a member of the Consortium for Language Access in the Courts, the Branch utilizes highly qualified interpreters who also perform translations. ITS assesses its staffing needs on a monthly basis based on requests received and reassigns permanent staff as needed. It also has contracts with private providers who provide qualified interpreters when requested by ITS.

Telephonic Bilingual Services are also available. The Judicial Branch has a contract with a vendor to provide phone interpretation services to LEP individuals in situations primarily outside of the courtroom. This language assistance is available in more than 170 languages, 24 hours a day, 7 days a week. There are three ways to access this service: dual handset, regular desk phone and cell phone. Procedures have been implemented for accessing this service. The service is available in all court locations and other Judicial Branch facilities, including but not limited to adult probation offices, support enforcement offices, jury administration, court service centers, public information desks, office of victim services, family relations offices, and the centralized infractions bureau.

4. LEP TRAINING AND RESOURCES

Training

Branchwide LEP training is available and required for all Judicial Branch employees. This is a half-day program, the goals of which include increasing the awareness of Judicial Branch employees regarding federal non-discrimination rights, laws, and guidelines with respect to LEP individuals; and providing information for obtaining language assistance and translation services. Each Division or Unit's Training Coordinator is responsible for assigning class seats as they become available. Employees are provided desk aid cards for accessing language services.

Training on LEP is also provided to Judicial Branch vendors who provide court-related services. This is a half-day program that includes reviews of relevant civil rights and federal regulations and the vendor's obligations in ensuring that individuals who are limited English proficient have access to services, programs and activities.

Language Assistance Guidelines for Contracted Vendor Services have been developed in a question and answer format to provide direction to Judicial Branch vendors who provide contracted services to individuals who are limited English proficient. These guidelines are distributed at the Vendor LEP Training.

Training on the use of *Language Line* is available and ongoing, and is provided to employees branchwide. *Language Line* is currently in use in more than 200 locations statewide. Training materials are provided to employees on accessing the language services.

Resources

Language identification posters have been produced by the Judicial Branch in various formats for use in offices, lobbies, reception areas, hallways, and anywhere else deemed appropriate.

Language Assistance Desk Cards have been produced by the Judicial Branch and are distributed during the LEP training.

Language Line Posters have also been distributed and provide information on accessing language assistance.

Interpreter Information Cards have been developed and are being prepared in four languages: English, Spanish, Portuguese and Polish.

Information is available on the Judicial Branch Internet and Intranet. The LEP pages have been translated to Spanish, Portuguese and Polish.

5. PROCEDURES FOR ACCESSING LANGUAGE ASSISTANCE SERVICES

Procedures have been established for accessing language assistance; the procedures vary depending on whether the need for language assistance is immediate or for a future date.

A. Request for Immediate Language Assistance

Language services may be requested or required without prior notice. There are three ways to access immediate language assistance:

Employees may contact their local interpreter's office to request assistance for any on-the-record proceedings and/or any case related interviews and informational conversations between Branch staff and LEP individuals.

Employees may contact the Main Office of Interpreter and Translator Services at 860-706-5040 if there is a critical on-the-record proceeding (e.g., arraignment) that needs to go forward and there is no interpreter locally available.

Employees may contact the telephonic language assistance services, which are available to Branch employees 24 hours a day, 7 days a week in all court locations and other Judicial Branch facilities, for any off-the-record interpreting needs. The employee may use any phone with a two-way speaker or conference feature, including cell phones, to access these services. The current vendor is *Language Line, Inc.* To contact the vendor, employees need to obtain an identifying access code from their supervisor prior to calling the contracted vendor.

B. *Request for Interpreter Services for Future Dates*

When an employee knows that interpreter services are needed for a future date, the employee completes the [Interpreter Services Request Form, JD-CL-93](#) – PDF and returns it by fax or email to the Interpreter and Translator Services Unit. The form includes specific instructions for completion.

C. *Request for Translation Services*

The Judicial Branch has established guidelines and procedures for requesting the translation of documents. The Guidelines are available to Judicial Branch employees on the Judicial Branch Intranet site. A form was created specifically for translation requests. For evidentiary translation requests that are unique to a specific legal proceeding, employees complete: [Translation Services Request Form, JD-CL-119](#), New 7-12 - PDF. The form is also used by employees to request the translation of documents including but not limited to forms, booklets, brochures, directions, form letters, guides, and instructions. The form includes specific instructions for completion.

D. *Request for Sign Language Services*

Sign language interpreter and relay interpreter requests are handled through the **State of Connecticut Commission on the Deaf and Hearing Impaired (CDHI)**. Specific information for requesting services of sign language interpreters are posted on the Judicial Branch Intranet site at <http://zeus/AdminSvc/HRM/ADA/InterpreterServices.aspx>.

6. PERFORMANCE AND EVALUATION

The LEP Committee conducted a Self-Assessment in August 2012. Based upon that self-assessment, it has revised some of its activities. Every two years, it will conduct a self-assessment and make necessary changes to ensure that the language services it provides reflects the relevant LEP population and their needs. The LEP Committee, in conjunction with divisions of the Judicial Branch, will continue to engage in outreach efforts designed to advise LEP communities and individuals as to the nature, scope and availability of the language assistance services set forth in this plan. As part of its overall outreach initiatives, the LEP Committee will continue to obtain feedback on the accuracy and quality of the Branch's language assistance services. Additionally, the LEP Committee, as it deems appropriate, will review the Policy

Statement on a periodic basis to ensure that it is current but not less than once every two years, and will forward recommendations to the Chief Court Administrator for approval. Furthermore, the Branch, through its LEP Committee, will continue its ongoing efforts to expand language assistance services.

Approved September 20, 2012