

Mesa Municipal Court

Language Access Plan (LAP)

I. Legal Basis and Purpose

This document serves as the plan for the Mesa Municipal 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 Mesa Municipal 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 March 2022):

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

B. Mesa Municipal Court

The Mesa Municipal Court is responsible for providing 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
2. ASL
3. Chinese-Mandarin
4. Chuukese

This information is based on data collected from internal statistical reports.

III. Language Assistance Resources

A. Interpreters Used in the Courtroom

1. Providing Interpreters in the Courtroom

In the Mesa Municipal Court, interpreters will be 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 prosecutor's office 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 Mesa Municipal Court may determine whether a court customer has limited English proficiency in various ways.

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 the charging authority who writes the customer's language on the ticket/complaint or the long form complaint. The need for a court interpreter may also be identified by security personnel, front counter staff, courtroom staff, attorneys, victim advocates, and detention officers. The court has a process to identify LEP needs for parties and ensure a notation of the specific language is entered in the court's case management system.

Signage throughout the court building indicating interpreter services are available may also help to identify LEP individuals. The Mesa Municipal Court displays "Notice of Interpreter Services" in English and Spanish on the courtroom monitors. Additionally, the "Notice of Interpreter Services" will be posted on the court's home page and in the Jury Assembly Room.

When the need for a Spanish interpreter is made known for the first time in the courtroom at the time of the proceeding, a staff Spanish Court Interpreter is immediately provided to assist the customer.

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 to a date when an

interpreter can be provided. The court deals with highly reliable vendors that provide their services in various languages. On certain occasions, depending on the setting, the court may hold a telephonic or virtual proceeding when an interpreter in the immediate area is not available, and one must be retained from long distance.

3. AOC Interpretation Resources

Court Interpreter Registry and Listserv

The Administrative Office of the Courts (AOC) maintains a statewide roster of individuals who indicate they have interpreting experience and have expressed interest in working in the courts. This roster is available to court staff on the Internet at <http://www.interpreters.courts.az.gov>.

Additionally, the 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's language access contact person.

B. Language Services Outside the Courtroom

The Mesa Municipal Court is also responsible for taking reasonable steps to ensure LEP individuals have meaningful access to all court services and programs outside the courtroom. Court services and programs include, but are not limited to, customer service counter and clerk handout windows.

The court is also responsible for taking reasonable steps to ensure LEP individuals have meaningful access to all court-ordered services and programs. Court-ordered services and programs include, but are not limited to: alcohol and drug screening and treatment, probation, evaluations, community restitution, educational programs, and classes provided by a court employee or a private vendor under contract with the court. Contracts with vendors that provide direct services to court users must include the requirement that the vendor provide language services, including interpreters, for all LEP individuals.

The Mesa Municipal Court uses the following resources to facilitate communication with LEP individuals and court staff or providers of court-ordered services:

- The Mesa Municipal Court has Spanish court interpreters who serve as permanent full-time employees of the court. The court also works with interpreting agencies and freelance interpreters in various languages.
- The Mesa Municipal Court has bilingual (English/Spanish) employees who use their language skills to first try to meet the needs of its LEP customers seeking assistance outside the courtroom.
- For face-to-face encounters, as well as telephone conversations, the Mesa Municipal Court will explore the option of using the Language Line when on-site interpreters are

not available.

- Court staff will utilize the “I Speak” cards when unsure of the language a customer is speaking, to identify the individual’s primary language.
- Telephonic interpreter services (from contract interpreters or an agency).
- Staff who have some knowledge of another language but need help with court terminology may also consult the following glossary sources.

- a. *Spanish/English glossary on the AOC self-help Web site,*
http://ajinweb/ctserv/cmu/CMU_CourtInterpreter.htm

To provide linguistically accessible services for LEP individuals, the Mesa Municipal Court provides the following:

- Public service windows that include bilingual staff and telephonic language assistance.
- Written information and instructions in Spanish.
- Website link from court’s website to the Supreme Court’s Spanish translated webpage <http://www.azcourts.gov/elcentrodeautoservicio> for court forms and instructions and other language access related resources such as the courts’ Spanish website page <http://www.mesaaz.gov/court> LAP, complaint form and process.

C. COURT APPOINTED OR SUPERVISED PERSONNEL

The Mesa Municipal Court ensures that court-appointed or supervised personnel 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 Mesa Municipal Court currently uses the following forms:

Court Records Request
Civil Traffic Set Aside
Criminal Set Aside Notice Application
Second Chance Application
Time Payment Contract Application
Civil Traffic Hearing Request
Community Restitution Information
Instructions for Completing A Petition to Expunge Marijuana-Related Records
Petition To Expunge Marijuana Related Offense Records
Petition To Seal Criminal Case Records

Protective Order Hearing Request/Dismissal
Instructions and Motion to file Continuance
Notice of Appearance
Notice of Appeal CT
Notice of Right to Appeal
Notice of Appeal Misdemeanor Case
Exhibit 2 Lane Straight Away
Exhibit 3 Lane Straight Away
Exhibit 4 Lane Intersection
Exhibit 5 Lane Straight Away
Exhibit 5 Lane Intersection
Exhibit 5 to 6 Lane Intersection
Exhibit 6 Lane Intersection
Exhibit 7 Lane Straight Away
Subpoena Request
Subpoena Request Civil Case
TTEAP Waiver Request
Transcript Request

These documents may be obtained at Mesa Municipal Court, 250 E. 1st. Avenue, Mesa, AZ, 85210 from the Info Desk, in the courtrooms, and through the court's webpage <http://www.mesaaz.gov/court>. Forms translated into Spanish may also be found in the Supreme Court's Spanish-translated webpage: <http://www.azcourts.gov/elcentrodeautoservicio>

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.

Sight translation of court-issued forms, instructions, and other vital documents are performed by a qualified interpreter. In the event one is not available, or if the document does not lend itself to sight translation due to its length, complexity, or legibility, other reasonable means are employed to ensure meaningful access for the LEP person. These include, but are not limited to, the following:

- Explanation of the contents of the document by a competent bilingual court employee;
- Engaging a remote interpreting service to relay a court staff member's explanation of the documents' contents;
- Submission of the document for a timely written translation, as appropriate.

E. WEBSITE/ONLINE ACCESS

The Mesa Municipal Court operates an Internet website <http://www.mesaaz.gov/court> and ensures the website is accessible to LEP persons and includes:

- A notice about the availability of language services written in Spanish and posted on the court's home page <http://www.mesaaz.gov/court>
- A hyperlink to: Arizona Supreme Court's Spanish-translated webpage at <http://www.azcourts.gov/elcentrodeautoservicio>
- A link to the Spanish court forms

Interpreters are expected to provide sight translations of court documents and correspondence associated with the case when present at court hearings.

IV. Court Staff and Volunteer Recruitment

A. Recruitment of Bilingual Staff for Language Access

The Mesa Municipal 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:

- Spanish court interpreters to serve as regular full-time employees of the court
- Bilingual staff to serve at the court's public counters and call center
- Bilingual staff to serve in the courtrooms.

B. Recruitment of Volunteers for Language Access

The Mesa Municipal Court does not recruit or use volunteers to assist with language access.

V. Formal Complaint Process

If an LEP court customer believes meaningful access to the court was not provided to them, they may choose to file a complaint with the court's Language Access Plan Coordinator.

The Mesa Municipal Court will develop 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.
- How to file a complaint and to whom the complaint should be directed.

- The complaint form (English/Spanish) will be attached to the LAP.
- Translated versions of the complaint form are available on the court's website, and hard-copy forms are available at the counters.

VI. Public Notification and Evaluation of LAP

A. LAP Approval and Notification

The Mesa Municipal Court's LAP shall be approved by the presiding judge and court executive officer. Upon approval, please forward a copy to the AOC Court Services Division. Any revisions to the plan will be submitted to the presiding judge and court executive officer for approval, and then forwarded to the AOC. Copies of Mesa Municipal Court's LAP will be provided to the public upon request.

B. Evaluation of the LAP

The Mesa Municipal Court will routinely assess whether changes to the LAP are needed. The plan may be changed or updated at any time. The plan will be reviewed annually, wherein the court's Interpreter Supervisor 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 that 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 and/or language assistance;
- Assessment of current language needs to determine if additional services or translated materials should be provided;
- 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,
- Review any language access complaints received during this time period.

C. Trial Court Language Access Plan Coordinator:

Heather Heath
Court Interpreter Supervisor
Mesa Municipal Court
250 East 1st. Ave.
Mesa, AZ 85210
(480) 644-3109
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D. AOC Language Access Contact:

David Svoboda
Language Access Coordinator
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E. LAP Effective date: March 2024

F. Approved by:

Presiding Judge:



Date:

[3/28/24]

Court Executive Officer:



Date:

[3/28/24]