



Gilbert Municipal Court Language Access Plan (LAP)



I. Legal Basis & Purpose

This document serves as the plan for the Gilbert 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 Gilbert 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. Gilbert Municipal Court

The Gilbert Municipal 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
2. Vietnamese
3. Chinese
4. Korean

This information is based on data collected from the United States Census Bureau data for Arizona from the American Community Survey.

III. Language Assistance Resources

A. Interpreters Used in the Courtroom

1. Providing Interpreters in the Courtroom

In the Gilbert Municipal Court, interpreters will be provided in all courtroom proceedings at no cost to all LEP court customers including witnesses, victims and parents or 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.

The Gilbert Municipal Court employs credentialed interpreters in the courtroom pursuant to the provisions of Arizona supreme court administrative order 2016-02 on the credentialing of court interpreters, and Arizona Code of Judicial Administration § 7-301 on continuing education requirements for credentialed interpreters. To comply with these authorities, the court will implement written policies regarding the use of interpreters.

It is the responsibility of the private attorney, Public Defender or County Attorney 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 Gilbert Municipal 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 or outside justice partners such as the Gilbert Police Department. Procedure related to the identification of language needs are addressed in Gilbert Municipal Court General Operations Policy & Procedure GO.22 – Communication Assistance. The Court has a documented process to identify LEP needs for parties with notation in the physical and electronic case file.

Signage throughout the court building indicating interpreter services are posted and may also help to identify LEP individuals. The Gilbert Municipal Court has displayed signage in the first floor lobby entry and 2nd floor lobby, both high traffic and unavoidable areas.

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, Roster of Credentialed Court Interpreters, and Listserv:

The AOC maintains a statewide registry of individuals who indicate they have interpreting experience and have expressed interest in working in the courts. The registry includes information on the individuals' credentialing status with the Arizona court interpreter credentialing program (ACICP). The court using interpreting services will determine the competence of the persons listed and their suitability for a given assignment. This registry is available to court staff on the Internet at <https://apps.azcourts.gov/registry>.

The AOC also maintains a public Arizona roster of credentialed court interpreters. The public roster lists the name, language, credential level, and contact information for those interpreters who have successfully earned an ACICP credential and who have consented to having their information appear in the public roster. The public roster is available on the Arizona judicial branch website at <https://www.azcourts.gov/interpreter/>.

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.

Video Remote Interpreting:

The AOC has installed video conferencing equipment at the State Courts building that will allow courts with compatible technology to remotely conference an interpreter from the Phoenix metro area or from another court jurisdiction into their court to improve resource allocation and reduce time and costs associated with interpreter travel. Contact the AOC LAP contact for more information on VRI connectivity and checklist for court proceedings most appropriate for video.

B. Language services outside the courtroom

The Gilbert Municipal 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 the Court Customer Service team and Court Enforcement team.

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 §1-303) must also be provided to LEP litigants in their language.

2. Assistance to Fill-out Court Forms and Pleadings

The Gilbert Municipal 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 is also responsible for taking reasonable steps to ensure that LEP individuals have meaningful access to all court-ordered services and programs. Court-ordered services and programs include but are not limited to conciliation, mediation, arbitration, treatment or educational programs 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 court uses the following resources to facilitate communication with LEP individuals and court staff or providers of court-ordered services:

- Staff court interpreter
- External court certified interpreters
- Bilingual Employees
- “I Speak” cards
- Telephonic interpreter services using staff court interpreter or external court certified interpreters
- A public court telephone line with key instructions provided in Spanish to request court services.

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

- Written informational materials in Spanish.
- Website link from the court’s website to the Supreme Court’s Spanish translated webpage for court forms and instructions and other language access related resources such as the court’s LAP and complaint form.

4. Bilingual Staff

The Gilbert Municipal Court uses bilingual staff and volunteers, if applicable, in the provision of linguistically accessible services for LEP individuals. These staff assist LEP individuals at public counters, information desks online and, over the phone, in the same manner as that for English-speaking court users.

Bilingual staff and volunteers who have not completed the credentialing program are not used in lieu of interpreters, either in court or for court-ordered programs and services.

C. Court Appointed or Supervised Personnel

The Gilbert Municipal Court 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 systems 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 Gilbert Municipal Court currently uses forms and instructional materials translated into Spanish.

- The court has translated various documents into other languages: Motion, Extension Request, Court Records Request, Community Service Instructions and Reporting Forms, Application to Set Aside Judgment and Order, Financial Affidavit, Financial Policies, Plaintiff's Guide Sheet for Protective Order, Petition for Protective Order and Request for Hearing and Defensive Driving School Referral.
- The court provides a link to the Supreme Court's bilingual web link at <https://www.azcourts.gov/selfservicecenter/Language-Access>

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

The court operates an internet website and it includes:

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

IV. Court Staff Recruitment

A. Recruitment of Bilingual Staff for Language Access

The Gilbert Municipal Court is an equal opportunity employer and recruits and hires the best personnel, including bilingual staff to serve its LEP constituents. Primary examples include, but are not limited to:

- Court interpreters to serve as regular full-time employees.
- Bilingual staff to serve at public counters and to facilitate telephonic communication.
- Bilingual staff available on call to assist with contacts from LEP individuals, as needed.

V. Judicial Staff and Training

The Gilbert Municipal 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:

- All personnel are instructed about LAP policies and procedures, as described in this LAP, on an annual basis.
- Diversity training
- AOC's Language Access in the Courtroom Training DVD
- AOC's Language Access Online Training Videos located at <http://www.azcourts.gov/educationservices/cojet-classroom/video-center>

VI. Public Outreach and Education

A. General

To communicate with the court's LEP constituents on various legal issues of importance to the community and to make them aware of services available to all language speakers, the Gilbert Municipal Court shall monitor the need for outreach programs and make any relevant communications identified accessible to LEP persons.

B. Videos, Webinars, On-Line Classes, In-Person Classes and Other Similar Instructional Methods

New public-facing videos designed to assist litigants or the public more broadly shall be in English and Spanish.

Those videos, webinars, and instructional materials currently in existence which are deemed to be "vital" shall be made available in Spanish.

The court will determine whether any existing videos, webinars, and instructional materials should be made available in languages other than English and Spanish by considering the department of justice's four-factor analysis.

VII. Formal Complaint Process

If an LEP court customer believes meaningful access to the courts was not provided to him/her, he/she may choose to file a complaint with the Gilbert Municipal Court's Presiding Judge. The court has developed 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.
- With whom the complaint should be directed.
- The court has attached the complaint form (English/Spanish) to the LAP.
- The translated versions of the complaint form are available in multiple locations, including but not limited to:
 - Forms posted on the court's website
 - Hard copy forms available in the court's lobby.
 - A general complaint form is available online at:

- <https://www.azcourts.gov/selfservicecenter/Forms/Language-Access-Complaint>
- A Gilbert Municipal Court complaint form is available online at <http://www.gilbertaz.gov/departments/court> or may be obtained at the court.

VIII. Public Notification and Evaluation of LAP

A. LAP Approval and Notification

The Gilbert Municipal Court's LAP is approved by the Presiding Judge and Court Administrator. A copy of the plan shall be submitted to the AOC's Court Services Division. Any revisions to the plan shall be submitted to the Presiding Judge and Court Administrator for approval, and then submitted to the AOC. Copies of Gilbert Municipal Court's LAP will be provided to the public on request and are available on the court's website.

B. Evaluation of the LAP

The Gilbert Municipal 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.

Every 2 years the Court Administrator shall review the effectiveness of the court's LAP and update it as necessary. The evaluation shall include identification of any problem areas and the 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 include:

- Number of LEP persons requesting court interpreters;
- Assessment of current language needs to determine if additional services or translated materials should be provided;
- Assessment of whether court personnel adequately understand LEP policies and procedures and how to execute them;
- Review of feedback from court employee training sessions;
- Customer satisfaction feedback as indicated on the access and fairness survey, if administered by the court during this time period;
- Review any language access complaints received during this time period.

C. Trial Court Language Access Plan Coordinator:

Adam Walterson
Court Administrator
Gilbert Municipal Court
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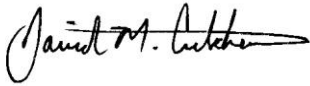
D. AOC Language Access Contact

David Svoboda
Court Services Division
Administrative Office of the Courts
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Phoenix, AZ 85007
(602) 452-3337

E. LAP Effective date: October 17, 2024

F. Approved by:

Presiding Judge: David Cutchen Jr, Date: October 17, 2024

A handwritten signature in black ink, appearing to read "David M. Cutchen". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Court Executive Officer: Adam Walterson, Date: October 17, 2024

A handwritten signature in black ink, appearing to read "Adam Walterson". The signature is stylized and cursive, with a prominent loop at the beginning.