Language Access Planning and Technical Assistance Tool for Courts

Federal Coordination and Compliance Section
Civil Rights Division
U.S. Department of Justice

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"The Department applauds courts that are promoting equal access to the judicial system for limited English proficient individuals through concerted efforts to remove language barriers."

- Tony West, Associate Attorney General of the United States, February 2014

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Overview

This language access planning and technical assistance tool for courts was created by the Department of Justice Civil Rights Division, Federal Coordination and Compliance Section (DOJ), to assist courts and court systems as they develop comprehensive language access programs. This tool was developed in response to requests for technical assistance from courts and others involved in planning and implementing measures to improve language assistance services in courts for limited English proficient (LEP) individuals. We received many helpful comments and feedback to the draft version of this tool from attorneys, judges, court staff, advocates, community groups, state court systems, and national state court leadership associations and advisory committee members. We appreciate the time, thought, and expertise reflected in those recommendations, all of which were considered and many of which are incorporated into this final version of the tool.

The tool is intended to facilitate planning to supplement and support the growing body of technical assistance and other resources developed by the American Bar Association, the National Center for State Courts, and other national, state, and local entities. Based on the Department of Justice Language Access Assessment and Planning Tool for Federally Conducted and Federally Assisted Programs,[1] this tool is tailored for use in courts. Just as with other planning tools, the focus is on identifying suggested areas of assessment and planning for courts. In each area, considerations are provided to identify challenges and highlight opportunities for improvement. Some courts will find that they have addressed certain areas and issues in this tool but that other areas may need greater priority and attention. In addition, we hope this tool will help courts identify which actions can be taken right away, which need focused attention and resources, and which require more long term planning and implementation to accomplish. Completing this tool neither establishes nor guarantees a court's compliance with Title VI of the Civil Rights Act of 1964 or other civil rights requirements. The legal requirements for courts that receive federal financial assistance from DOJ have been explained in prior guidance documents.[2] Use of the tool is of course voluntary; courts are not required to use the suggested considerations in this tool or submit their responses to DOJ.

The tool is divided into sections that suggest general areas for assessment and planning. Following each section are suggested planning steps. Because of vast nationwide differences in court structures and administrative and financial authorities and responsibilities, some considerations may not be applicable to every court. Courts are encouraged to modify this tool to the particular needs and features of their court and court system.

[1] Language Access Assessment and Planning Tool for Federally Conducted and Federally Assisted Programs (May 2011), *available at* http://www.lep.gov/resources/2011_Language_Access_Assessment_and_Planning_Tool.pdf.
[2] Resources for State Courts, *available at* http://www.lep.gov/resources/resources.html#SC.

What Terms are Used in the Tool?

The terms and phrases used in this tool are defined below.

- Court Operations – Offices, programs and services managed, controlled, contracted or funded by the court, other than court proceedings, with which the public, parties, or witnesses may have contact in connection with a potential or actual legal issue, claim, matter, or proceeding. Examples can include, but are not limited to, intake or filing offices, cashiers, records rooms, pro se clinics, and other similar operations.

- Court Proceedings – Civil and criminal hearings and trials, including court-annexed processes or proceedings.

- Interpreter- An individual who has received training in the skills of interpretation and can competently render a message spoken from one language into one or more other languages.

- Limited English Proficient (LEP) – Individuals for whom English is not the primary language or who may have a limited ability to read, write, speak, or understand English, are limited English proficient, or ''LEP."[3]

- Language Access Plan (LAP) – The plan is a management document that outlines how the court defines tasks, sets deadlines and priorities, assigns responsibility, and allocates the resources necessary to come into or maintain compliance with language access requirements.

- Language Access Policies – Policies that set forth standards, operating principles, and guidelines that govern the delivery of language appropriate services in court proceedings and operations by the court and court staff.

- Language Access Procedures – Procedures that specify for court staff the steps to follow to provide language assistance services, gather data, and deliver services to LEP individuals.

- Language Assistance Services – Oral communication by competent bilingual staff or assisted by an authorized interpreter and written communication assisted by translation.

- Provide/Provided/Providing an Interpreter – Means appointing an interpreter free of charge to an LEP individual.

- Sight Translation – The reading of text written in one language by a competent interpreter who orally translates it into another language.

- Translator – An individual who has received training in the skills of translation and can competently render written text from one language into one or more other languages.

- Vital Documents – A document will be considered vital and need to be translated if it contains information critical for obtaining access to court or it is required by law. Some examples of vital documents that courts may need to translate to ensure that LEP individuals are provided meaningful access can include applications, court forms, consent or complaint forms, notices of rights, and letters or notices that require a response.

[3] This tool is not intended to cover considerations regarding individuals with sensory impairments, such as visual or hearing; those considerations can be addressed by the DOJ Civil Rights Division, Disability Rights Section, *available at* http://www.justice.gov/crt/about/drs.

What is a Language Access Plan?

A Language Access Plan (LAP) is a management document that outlines how the court defines tasks, sets deadlines and priorities, assigns responsibility, and allocates the resources necessary to come into or maintain compliance with language access requirements. Implementing the LAP will help to provide equal access to court proceedings and operations, improve the accuracy of communications, enhance the integrity of evidence and decision making, promote efficiency in operations, and comply with Title VI and its implementing regulations.

For courts, the LAP identifies, prioritizes, coordinates and sets timeframes and responsibility for actions that are helpful to ensure that comprehensive, timely, effective, and free language assistance services are provided in court proceedings and operations. The plan should be grounded in an assessment of existing policy, practices, and capacity; it should also reflect consideration of the roles to be played by court leadership and various stakeholders. The scope of the plan will vary according to the system the court uses to deliver comprehensive, high quality, and timely language assistance services. The LAP should also seek to obtain and address stakeholder feedback. A court system that is currently delivering comprehensive language access services well, for example, might appropriately focus on monitoring performance, increasing efficiencies, and adjusting as needs change. Policy and procedures need not be set out in an LAP. Some courts prefer to include them in the LAP.

Plan Elements

A. Existing Services and Ongoing Need for Language Assistance Services

A court benefits from conducting an assessment of its existing language access policies and the extent to which such policies are being followed and implemented. This assessment should provide some sense of the work needed to provide comprehensive language access and better inform the planning process. In addition, ongoing assessment helps to measure current and future needs and to monitor progress.

Consideration	Response
1. Does your court provide interpreters in all court proceedings with LEP parties?	☐ Not Started ☐ In Progress ☐ Completed
2. For what proceedings are court interpreters provided?	☐ Criminal only ☐ Civil only ☐ Some criminal: please specify): _____ ☐ Some civil (please specify):_____ ☐ Not Applicable
3. Does your court provide interpreters in court proceedings with LEP witnesses?	☐ Not Started ☐ In Progress ☐ Completed
4. Are LEP victims provided interpreters throughout court proceedings?	☐ Not Started ☐ In Progress ☐ Completed
5. Are LEP parents or guardians of minors provided interpreters throughout court proceedings?	☐ Not Started ☐ In Progress ☐ Completed
6. Do the interpreters used by your court have their skills assessed periodically for quality?	_____% (Percentage)
7. When interpreters are provided, does your court provide the interpreter without assessing costs to either party?	☐ Not Started ☐ In Progress ☐ Completed
8. Does your court provide translated materials at no charge to LEP individuals in all court operations?	☐ Not Started ☐ In Progress ☐ Completed
9. Does your court provide interpreters at no charge to LEP individuals in all court operations?	☐ Not Started ☐ In Progress ☐ Completed
10. Does your court provide notice of its language access policy to a) court staff, b) parties, and c) the public?	☐ a) Yes ☐ a) No ☐ b) Yes ☐ b) No ☐ c) Yes ☐ c) No
11. Does your court gather case language data by a) requiring filing parties to provide available information on language needs of parties and witnesses with the initial filing, and b) requiring court staff to record language data of which they are aware?	a) ☐ Not Started ☐ In Progress ☐ Completed b) ☐ Not Started ☐ In Progress ☐ Completed
12. If you responded "Not Started" to Consideration 11 (a) or (b), what processes are in place to track an LEP individual's need for language assistance services?	☐ Record primary language information upon first contact ☐ Other process(es): _____ _____ _____

Consideration	Response
13. Does your court assign interpreters to court proceedings without requiring a motion or relying on a day-of request from the LEP person or their representative?	☐ Not Started ☐ In Progress ☐ Completed
14. Does your court provide language assistance services in court operations without relying on a day-of request from the LEP person or their representative?	☐ Not Started ☐ In Progress ☐ Completed
15. Does your court have systems in place to: a) monitor the performance of staff that provides language assistance services, b) monitor the performance of interpreters, and c) respond to complaints against staff or interpreters?	a) ☐ Not Started ☐ In Progress ☐ Completed b) ☐ Not Started ☐ In Progress ☐ Completed c) ☐ Not Started ☐ In Progress ☐ Completed
16. Does your court have a process to collect data on: a) the number of LEP individuals you serve, by language? b) the number of LEP individuals in your service area, by language spoken?	a) ☐ Not Started ☐ In Progress ☐ Completed b) ☐ Not Started ☐ In Progress ☐ Completed
17. How often does your court assess the language data for the languages spoken by LEP communities in your service area? (Select all that apply)	☐ Annually ☐ Biennially ☐ No data is collected ☐ Not Sure ☐ Other: (please specify):_____
18. What data sources does your court use to identify the LEP communities in your service area? (Select all that apply)	☐ US Census/ACS ☐ US Dept. of Education ☐ US Dept. of Labor ☐ State agencies ☐ County agencies ☐ Community organizations ☐ Case management system ☐ Interpreter scheduling system ☐ Stakeholders ☐ Justice system information ☐ Other: (please specify):_____
19. Has your court reviewed the language access recommendations and resources of the a) American Bar Association, and b) National Center on State Courts?	a) ☐ Not Started ☐ In Progress ☐ Completed b) ☐ Not Started ☐ In Progress ☐ Completed
20. What else might your court need in order to assess current needs and plan and project for future language assistance service needs?	

Section A Planning Steps:

- Based on the responses above, what action items will you develop?
- Who is responsible for implementing them?
- What are the timelines and priorities?
- How will you identify measures of progress?

B. Court Rule

These considerations focus on the statutes, court rules, orders, directives, or other means by which your court or court systems sets policy on language access. While some of these considerations reflect the global issues listed in Part A, the focus here is on whether there is a consistent and published rule, order, directive or other policy providing notice to judges, clerks, court staff, attorneys, advocates, interpreters, LEP individuals, and the public regarding the obligation and right to language assistance services.

Consideration	Response	
1. Does your court have a rule (or equivalent) that addresses foreign language interpreters?	☐ Not Started ☐ In Progress ☐ Completed	
2. Does the rule require the court to provide competent language assistance services?	☐ Not Started ☐ In Progress ☐ Completed	
3. Does the rule require the court to provide language assistance services free of charge?	☐ Not Started ☐ In Progress ☐ Completed	
4. Does the rule authorize judges to assess the cost of language assistance services to the losing party in the case or proceeding?	☐ Yes	☐ No
5. Does your court rule addressing language assistance services apply to court proceedings?	☐ Yes	☐ No
6. Does your court rule addressing language assistance services apply to court operations?	☐ Yes	☐ No
7. Does your court rule require the use of credentialed or certified interpreters a) in court proceedings, and b) for court operations?	☐ a) Yes ☐ b) Yes	☐ a) No ☐ b) No
8. Does your court rule prohibit: a) the use of family, friends, or other informal and untrained individuals from serving as an interpreter in court proceedings?; b) the use of family, friends, or other informal and untrained individual from serving as an interpreter for court operations for other than brief and simple communications?; c) bilingual court staff from serving as an interpreter for a court proceeding unless credentialed?; and d) an attorney or law firm staff from serving as the court interpreter in a proceeding where their client is a party?	☐ a) Yes ☐ b) Yes ☐ c) Yes ☐ d) Yes	☐ a) No ☐ b) No ☐ c) No ☐ d) No
9. Does your court rule require that in-person interpreters be sought first before considering other forms of interpretation (e.g., telephonic or video conferencing)?	☐ Yes	☐ No
10. Are there court proceedings, operations, or individuals that are not covered by your current court rule?	☐ Yes	☐ No

Consideration	Response
11. If you responded "Yes" to Consideration 10, explain the processes in place to address the language assistance service needs in the exempted areas.	
12. Can your court rule regarding language assistance services be enforced as a matter of law?	☐ Not Started ☐ In Progress ☐ Completed
13. a) Does your court have a written complaint protocol specific to the provision of language assistance services? b) Is the complaint process described by the protocol accessible to LEP individuals? c) Is the complaint protocol made available to the public (e.g., written notice, website)? d) Will the court process complaints alleging the court did not provide appropriate language assistance services?	a) ☐ Not Started ☐ In Progress ☐ Completed b) ☐ Not Started ☐ In Progress ☐ Completed c) ☐ Not Started ☐ In Progress ☐ Completed d) ☐ Not Started ☐ In Progress ☐ Completed
14. Which staff members receive training on your court's language access rule and related policies and procedures? (Select all that apply)	☐ Management or senior staff ☐ Court staff who interact with or are responsible for interactions with LEP individuals ☐ Judicial officers ☐ Bilingual Staff ☐ New employees ☐ All employees ☐ Volunteers ☐ Other: (please specify):_____ _____ ☐ None of the above
15. Are judges notified of: a) your court rule, b) the legal requirements governing the provision of language assistance services, and c) the consequences for failing to provide such services?	a) ☐ Not Started ☐ In Progress ☐ Completed b) ☐ Not Started ☐ In Progress ☐ Completed c) ☐ Not Started ☐ In Progress ☐ Completed
16. Is the provision of language assistance services addressed in mandatory judicial training?	☐ Not Started ☐ In Progress ☐ Completed
17. Did your court create bench cards for judges explaining the requirements of your court rule?	☐ Not Started ☐ In Progress ☐ Completed
18. What barriers or opportunities might be addressed so that your court can improve or expand upon its rule (or equivalent)?	

Section B Planning Steps:

- Based on the responses above, what action items will you develop?
- Who is responsible for implementing them?
- What are the timelines and priorities?
- How will you identify measures of progress?

C. Implementation of the Language Access Plan

These considerations focus on clarifying the duties and responsibilities of court officials, staff, community stakeholders and others, to devise and implement the Language Access Plan (LAP).

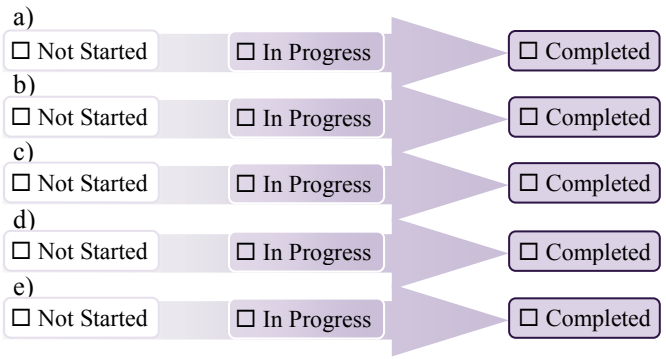
Consideration	Response
1. Has your court designated staff with the responsibility to execute the LAP?	☐ Not Started ☐ In Progress ☐ Completed
2. Has your court made sufficient resources available to execute the LAP?	☐ Not Started ☐ In Progress ☐ Completed
3. Does the staff designated to implement the LAP have the skills needed to implement it?	☐ Not Started ☐ In Progress ☐ Completed
4. For which individuals has your court identified implementation and leadership responsibilities, authorities, and roles with regard to the development and implementation of the LAP? (Select all that apply)	☐ Chief Justice ☐ Supreme Court ☐ AOC Director ☐ Interpreter Manager ☐ Chief judges ☐ Court clerks ☐ Language Access Compliance Officer ☐ Human resources ☐ Purchasing ☐ Grant managers ☐ Fiscal managers ☐ Information technology ☐ Prosecutors and Defenders ☐ Stakeholders committee ☐ Expert ☐ Other: (please specify):_____ ☐ None of the above
5. To the extent that external collaboration or assistance (support, technical assistance, financial or other resources/resource-sharing, monitoring, strategy, etc.) is needed to provide comprehensive language assistance services, what sources of help have been identified in the LAP? (Select all that apply)	☐ Bar association ☐ Legislature ☐ State administering agency ☐ State agencies ☐ NCSC/COSCA/ CCJ ☐ DOJ ☐ Grant providers ☐ Interpreter or translator associations ☐ Law enforcement ☐ Advocates ☐ Other: (please specify):_____
6. What steps can your court take to ensure the clarity of roles and responsibilities, input from stakeholders, and the use of external resources when developing and implementing the LAP?	

Section C Planning Steps:

- Based on the responses above, what action items will you develop?
- Who is responsible for implementing them?
- What are the timelines and priorities?
- How will you identify measures of progress?

D. Quality Control of Language Assistance Services

The considerations below focus on the quality and competency of court interpreters and translators who provide language assistance services.

Consideration	Response
1. Does your court system have a credentialing system in place for: a) staff interpreters, b) contract interpreters, c) remote interpreters (telephone and video), d) translators, and e) bilingual staff (for court operations)?	
2. Does your system for ensuring the provision of competent interpreters and bilingual staff include: (Select all that apply)	☐ Tiered credentialing ☐ Testing standards for languages that have oral exams and those that do not have oral exams ☐ Qualification standards for interpreters who have not taken part in the credentialing process ☐ Qualification standards for remote interpreters ☐ Recertification and continuing education ☐ Ethics and professional requirements ☐ Voir dire to assess the competency of interpreters who are not certified and/or qualified ☐ Qualification standards for bilingual staff ☐ Provisions in contracts with interpreter service providers that specify minimum interpreter qualifications ☐ A roster of approved interpreters ☐ Other: (please specify):_____

Consideration	Response
3. Does your system for ensuring the provision of ensuring competent translators include: (Select all that apply)	☐ Tiered credentialing ☐ Qualification standards for translators ☐ Recertification and continuing education ☐ A review process for translations by a second translator ☐ Ethics and professional requirements ☐ Qualification standards for bilingual staff ☐ Provisions in contracts with translator service providers that specify minimum translator qualifications ☐ A roster of approved translators ☐ Other: (please specify):_____
4. Does your court work with any of the following organizations or entities to ensure the quality assessment of interpreters or translators? (Select all that apply)	☐ National Center for State Courts (NCSC) ☐ National Association of Judiciary Interpreters and Translators (NAJIT) ☐ American Translators Association (ATA) ☐ American Bar Association (ABA) ☐ Other Court Systems ☐ Other: (please specify):_____
5. Does your court have data systems in place that: a) record language assistance service needs? b) note the timeliness of the language assistance service? c) note if interpretation services were delivered successfully? d) document if translation services were delivered successfully? e) collect data on the cost of language assistance services?, and f) provide a) through e) above all broken down by type of language assistance service and language or dialect?	a) ☐ Not Started ☐ In Progress ☐ Completed b) ☐ Not Started ☐ In Progress ☐ Completed c) ☐ Not Started ☐ In Progress ☐ Completed d) ☐ Not Started ☐ In Progress ☐ Completed e) ☐ Not Started ☐ In Progress ☐ Completed f) ☐ Not Started ☐ In Progress ☐ Completed
6. Can your court data system create a usable report that includes the following information about the language assistance services that were provided in a court proceeding or operation? (Select all that apply)	☐ Type of court or court operation ☐ Location where it was provided ☐ Type of case or proceeding ☐ Data on language groups encountered ☐ Cost of services provided ☐ Length of delay or denial or services and the reason for each delay or denial ☐ Interpreter type and qualifications ☐ Translator type and qualifications ☐ Other: (please specify):_____

Consideration	Response
7. Does your court record the audio or video of a proceeding that has an interpreter?	☐ Not Started ☐ In Progress ☐ Completed
8. If you responded "In Progress" or "Completed" to Consideration 7, how does your court use the recording? a) it becomes part of the court record b) to assess the quality of the interpretation c) other (please describe)	☐ a) Yes ☐ a) No ☐ b) Yes ☐ b) No ☐ c) _____
9. Does your court have a system in place to monitor the quality of the interpreter services that are provided in a) court proceedings, and b) court operations?	a) ☐ Not Started ☐ In Progress ☐ Completed b) ☐ Not Started ☐ In Progress ☐ Completed
10. Does your court have a disciplinary system in place for credentialed language assistance service providers?	☐ Not Started ☐ In Progress ☐ Completed
11. Is there a complaint system in place for LEP individuals and others to raise concerns regarding the quality or conduct of language assistance service providers?	☐ Not Started ☐ In Progress ☐ Completed
12. What else might your court need to ensure quality control and assessment of interpretation and translation services?	

Section D Planning Steps:

- Based on the responses above, what action items will you develop?
- Who is responsible for implementing them?
- What are the timelines and priorities?
- How will you identify measures of progress?

E. Assigning Interpreters

These considerations focus on assigning and notifying your court staff and parties in interest that interpreters will be provided for a case or proceeding. Ideally, a language management system, either a case management system that tracks language assistance services, or a separate system that is used to track language assistance services, will maximize the extent to which information is gathered by the court and minimize reliance on requests from LEP individuals or their representatives.

Consideration	Response
1. Does your case management system require court staff to identify the need for language assistance services every time an individual files a case?	☐ Not Started ☐ In Progress ☐ Completed

Consideration	Response
2. If you responded "Not Started" to Consideration 1, what system is in place for staff to identify an individual's need for language assistance services? (Select all that apply)	☐ Notation or mark on paper case file ☐ No identification system in place ☐ Language need is noted on docket ☐ Other: (please specify):_____
3. Does your case management system permit court staff to indicate that an interpreter is needed for a specific case or proceeding?	☐ Not Started ☐ In Progress ☐ Completed
4. Is the case management system able to take into account language needs when scheduling cases in order to maximize court and interpreter productivity?	☐ Not Started ☐ In Progress ☐ Completed
5. If you responded "Not Started" to Consideration 4, what processes outside of a case management system are in place to schedule cases taking into account language needs in order to maximize court and interpreter productivity? (Select all that apply)	☐ Written note on case listing ☐ No identification system in place ☐ Not sure ☐ Staff in court room are told about language needs ☐ Other: (please specify):_____
6. Does your court have an interpreter scheduling or assignment system in place that will: (Select all that apply)	☐ Identify and assign qualified interpreter services when a certified interpreter is not available ☐ Allow court staff to assign qualified remote interpreters ☐ Other: (please specify):_____ ☐ None of the above
7. Does your court have any automated systems in place that notify a) court staff, and b) parties before the date of the case or proceeding that an interpreter will be provided?	a) ☐ Not Started ☐ In Progress ☐ Completed b) ☐ Not Started ☐ In Progress ☐ Completed
8. Does your court have any automated systems in place that notify a) court staff and b) parties when an interpreter will be unavailable?	a) ☐ Not Started ☐ In Progress ☐ Completed b) ☐ Not Started ☐ In Progress ☐ Completed
9. Does your court work with the following entities to help identify cases that may require language assistance services? (Select all that apply)	☐ Law Enforcement ☐ Prosecutors ☐ Public defenders ☐ Social service agencies ☐ Domestic violence assistance programs ☐ Jails ☐ Legal Aid/Legal Services ☐ Community groups ☐ Other: (please specify):_____ ☐ None of the above
10. Does your court have a protocol in place for the assignment of: a) staff interpreters, b) in-person interpreter contractors, c) video conferencing options, and d) telephonic interpreter options?	a) ☐ Not Started ☐ In Progress ☐ Completed b) ☐ Not Started ☐ In Progress ☐ Completed c) ☐ Not Started ☐ In Progress ☐ Completed d) ☐ Not Started ☐ In Progress ☐ Completed

Consideration	Response
11. Has your court studied the costs and benefits of using in-house telephone interpreting by certified and qualified interpreters when it is not feasible to have an in-person interpreter?	☐ Not Started ☐ In Progress ☐ Completed
12. Has your court studied the costs and benefits of video remote interpreting systems to use when it is not feasible to have an in-person interpreter?	☐ Not Started ☐ In Progress ☐ Completed
13. Has your court studied the costs and benefits of using regional or national remote interpreting systems for less frequently encountered languages?	☐ Not Started ☐ In Progress ☐ Completed
14. What else might your court need in order to ensure efficient and effective notice and assignment practices that will cut down on delays, improve access, create greater efficiencies, and ensure quality?	

Section E Planning Steps:

- Based on the responses above, what action items will you develop?
- Who is responsible for implementing them?
- What are the timelines and priorities?
- How will you identify measures of progress?

F. Translated Materials

The following considerations focus on the provision of translated materials.

Consideration	Response
1. Does your court identify vital documents in the non-English languages of the LEP communities in your service area?	☐ Not Started ☐ In Progress ☐ Completed
2. Does your court translate vital documents in the non-English languages of the LEP communities in your service area?	☐ Not Started ☐ In Progress ☐ Completed
3. Which vital written documents (or parts thereof) has your court translated into non-English languages? (Select all that apply)	☐ Consent forms ☐ Complaint forms ☐ Pro se materials ☐ Notices of rights ☐ Summonses ☐ Subpoenas ☐ None are translated ☐ Case filing forms ☐ Notices of language service availability ☐ Orders: (please specify): _____ ☐ Other: (please specify):_____
4. Are all documents identified in response to Consideration 3 translated into: a) Spanish, and b) non-Spanish languages?	a) ☐ Not Started ☐ In Progress ☐ Completed b) ☐ Not Started ☐ In Progress ☐ Completed

Consideration	Response
5. Has your court developed a glossary of legal terms (or used a glossary developed by others) in: a) Spanish, and b) non-Spanish languages?	a) ☐ Not Started ☐ In Progress ☐ Completed b) ☐ Not Started ☐ In Progress ☐ Completed
6. Has your court staff walked through the courthouses imagining that they are an LEP pro se party/witness/victim and thought about what translated signs, notices, document and materials might help ensure greater access?	☐ Not Started ☐ In Progress ☐ Completed
7. Does your court provide translated signs or posters announcing the availability of free language assistance services?	☐ Not Started ☐ In Progress ☐ Completed
8. If you responded “Not Started” or "In Progress" to Consideration 7, what steps has the court taken to assess the signage and translated document needs of LEP individuals? (Select all that apply)	☐ Requested feedback from LEP community groups ☐ Surveyed LEP individuals ☐ Other: (please specify):_____
9. a) When your court updates information on its website, does it also add the same content in non-English languages? b) Is there a process for determining which materials should be translated on the website? c) Is there a process for determining the non-English language that materials should be translated into on the website?	a) ☐ Not Started ☐ In Progress ☐ Completed b) ☐ Not Started ☐ In Progress ☐ Completed c) ☐ Not Started ☐ In Progress ☐ Completed
10. Does your court only use automatic translation services or software to translate the text of its website into non-English languages?	☐ Yes ☐ No
11. Before translated materials are released, do you have them checked for quality?	☐ Not Started ☐ In Progress ☐ Completed
12. Does your court ensure that the meaning and literacy level of the text in English is preserved in the translated non-English text?	☐ Not Started ☐ In Progress ☐ Completed
13. Does your court use credentialed translators instead of bilingual staff who are not credentialed translators to translate written documents and website content?	☐ Not Started ☐ In Progress ☐ Completed
14. When your court requests a document for translation, is an electronic version of the translated document stored for later use?	☐ Yes ☐ No
15. Does your court share documents it has already translated with other courts?	☐ Yes ☐ No
16. Does your court provide sight translations of written materials for LEP individuals?	☐ Not Started ☐ In Progress ☐ Completed

Consideration	Response
17. Does your court have policies or procedures that explain when an interpreter can provide a sight translation of a document?	☐ Not Started ☐ In Progress ☐ Completed
18. If you responded "In Progress" or "Completed" to Consideration 17, is the interpreter required to swear or certify on the record that they have accurately sight translated the document?	☐ Yes ☐ No
19. Is data about the LEP communities in the service area of your court reviewed periodically to determine if vital documents and materials should be translated into additional non-English languages?	☐ Yes ☐ No
20. What else might your court consider to ensure that translations are available and accurate?	

Section F Planning Steps:

- Based on the responses above, what action items will you develop?
- Who is responsible for implementing them?
- What are the timelines and priorities?
- How will you identify measures of progress?

G. Notice of Language Assistance Services

These considerations focus on (1) internal training and notice and (2) external notice of language assistance services to the LEP communities in your service area.

Consideration	Response
1. Indicate the manner in which your court and court staff inform the public, parties, and attorneys about the language assistance services you provide: (Select all that apply)	☐ Notices on court documents ☐ In-person by staff ☐ Announcements at the beginning of court sessions ☐ Signage ☐ Electronically (e.g., email or website) ☐ Outreach efforts ☐ Media (e.g., radio, print, television) ☐ Other: (please specify):_____
2. Indicate the manner in which your court and court staff inform the public, parties, and attorneys about the process to request language assistance services: (Select all that apply)	☐ Notices on court documents ☐ In-person by staff ☐ Announcements at the beginning of court sessions ☐ Signage ☐ Electronically (e.g., email or website) ☐ Outreach efforts ☐ Media (e.g., radio, print, television) ☐ Other: (please specify):_____

Consideration	Response
3. Indicate the manner in which your court and court staff inform the public, parties, and attorneys about how to file a complaint regarding the lack of language assistance services or inaccurate interpretations or translations: (Select all that apply)	☐ Notices on court documents ☐ In-person by staff ☐ Announcements at the beginning of court sessions ☐ Signage ☐ Electronically (e.g., email or website) ☐ Outreach efforts ☐ Media (e.g., radio, print, television) ☐ Other: (please specify):_____
4. Indicate the methods your court and court staff use to provide LEP communities notice about the availability of language assistance services: (Select all that apply)	☐ Outreach activities ☐ Non-English media (radio, print, television, internet) ☐ Working with LEP community groups ☐ Other: (please specify):_____
5. What else does your court need to consider to ensure that it provides appropriate notice of language assistance services?	

Section G Planning Steps:

- Based on the responses above, what action items will you develop?
- Who is responsible for implementing them?
- What are the timelines and priorities?
- How will you identify measures of progress?

H. Outreach and Collaboration with LEP Communities and Stakeholders

These considerations focus on the participation of stakeholders and partners in the development and assessment/monitoring of language access policies and procedures.

Consideration	Response
1. Does your court inform community groups about the availability of free language assistance services for LEP individuals?	☐ Not Started ☐ In Progress ☐ Completed

Consideration	Response
2. In the process of developing or assessing the LAP and language access policies and procedures, has your court included or sought the participation of the following individuals and organizations? (Select all that apply)	☐ LEP individuals ☐ Community groups that work with LEP communities ☐ Private attorneys ☐ Criminal defense bar ☐ Court staff ☐ Legal Aid/Legal Services ☐ Legal programs that work with immigrant communities and other public interest attorneys ☐ Consultants/Expert ☐ State and local bar associations ☐ Ethnic bar groups ☐ Court interpreters and interpreters' professional associations ☐ NCSC/COSCA/ CCJ ☐ DOJ ☐ State Access to Justice Commission ☐ Law schools and law school clinics ☐ American Bar Association ☐ State Administering Agencies for Federal Grants ☐ Other: (please specify):_____
3. Does your court invite stakeholders to provide feedback on how the language access plan, policies and procedures are working or whether any challenges arose in implementation?	☐ Not Started ☐ In Progress ☐ Completed
4. Does your court conduct outreach in English media regarding the availability of language assistance services? (Select all that apply)	☐ Television ☐ Radio ☐ Newspaper ☐ Other: (please specify):_____ ☐ Online videos ☐ Websites ☐ Social media ☐ None of the above
5. Does your court conduct outreach to non-English media regarding the availability of language assistance services? (Select all that apply)	☐ Television ☐ Radio ☐ Newspaper ☐ Other: (please specify):_____ ☐ Online videos ☐ Websites ☐ Social media ☐ None of the above
6. In what non-English language(s) is the outreach in Consideration 5 conducted?	
7. What else might your court consider to ensure that stakeholders are brought into the process of identifying needs and resources and assessing implementation of court language access policies and procedures?	

Section H Planning Steps:

- Based on the responses above, what action items will you develop?
- Who is responsible for implementing them?
- What are the timelines and priorities?
- How will you identify measures of progress?

I. Monitoring, Updating, and Enforcing Compliance

The following considerations focus on monitoring and updating language access policies, plans, and procedures.

Consideration	Response
1. How often are your court's language access policies reviewed and updated?	☐ Annually ☐ Not Sure ☐ Biennially ☐ Other:_____
2. Does your court have a language access coordinator or an equivalent?	☐ Yes ☐ No
3. Does your court have a system for collecting data on LEP court user satisfaction?	☐ Not Started ☐ In Progress ☐ Completed
4. Is there an individual responsible for walking through the public areas of your courthouse to ensure that signs are posted in frequently encountered non-English languages?	☐ Yes ☐ No
5. Is there an individual responsible for observing and evaluating the use of interpreters in court proceedings?	☐ Yes ☐ No
6. Is there an individual responsible for observing and evaluating the use of interpreters in court operations?	☐ Yes ☐ No
7. Does your court monitor the complaint system for evidence of language access-related problems to address?	☐ Not Started ☐ In Progress ☐ Completed
8. If you responded "In Progress" or "Completed" to Consideration 7, how often do you monitor your complaint system?	☐ Annually ☐ Not Sure ☐ Biennially ☐ Other (specify): _____
9. What else might assist your court in ensuring that language access plans, policies, and procedures are meeting the needs of the courts and LEP individuals in an efficient and effective manner?	

Section I Planning Steps:

- Based on the responses above, what action items will you develop?
- Who is responsible for implementing them?
- What are the timelines and priorities?
- How will you identify measures of progress?

J. Language Access Plan Review

Once a plan is drafted, it should be reviewed with several considerations in mind, and receive input from internal and external stakeholders.

Consideration	Response
1. Does your language access plan refer to legal and policy authorities?	☐ Yes ☐ No

Consideration	Response
2. Is your language access plan sufficiently detailed to implement the legal and policy authorities it references?	☐ Yes ☐ No
3. Are tasks in the language access plan prioritized appropriately?	☐ Yes ☐ No
4. Are deadlines set forth in the language access plan for each task?	☐ Yes ☐ No
5. Are the deadlines set forth in the language access plan for each task reasonable?	☐ Yes ☐ No
6. Are deadlines in the language access plan in the proper or most logical sequence?	☐ Yes ☐ No
7. Does the language access plan provide for future adjustments?	☐ Yes ☐ No
8. Does the language access plan provide for ongoing internal and external review?	☐ Yes ☐ No
9. What other considerations might your court want to review in developing, assessing, and implementing your language access plan?	

Section J Planning Steps:

- Based on the responses above, what action items will you develop?
- Who is responsible for implementing them?
- What are the timelines and priorities?
- How will you identify measures of progress?

K. Assessing Resources

The following considerations focus on the resources your court uses to provide language assistance services, how it assesses these resources, and how it identifies other resources.

Consideration	Response
1. Does your court have a line item in its budget for language assistance services for LEP individuals?	☐ Yes ☐ No
2. Do you account for language assistance services when developing your court budget?	☐ Not Started ☐ In Progress ☐ Completed
3. Does your court have a system to assess the actual cost of language assistance services?	☐ Not Started ☐ In Progress ☐ Completed
4. If you responded "In Progress" or "Completed" to Consideration 3, how often does your court assess this cost information? (Select all that apply)	☐ Every six months ☐ Not Sure ☐ Annually ☐ Other: (please specify):_____ ☐ Biennially

Consideration	Response
5. If you answered "In Progress" or "Completed" to Consideration 3, does your assessment of language assistance services costs include: (Select all that apply)	☐ Loss of federal financial assistance for noncompliance with civil rights requirements ☐ Cost of a federal investigation or enforcement action ☐ Administrative cost of collecting fees from parties required to pay for language assistance services ☐ Burdens on court when interpreters are not provided (e.g., case scheduling delays, parties required to return to court)
6. What other entities has your court worked with to assess the cost of the language assistance services that it provides? (Select all that apply)	☐ Community groups that work with LEP communities ☐ Legal Aid/Legal Services ☐ Consultants/Expert ☐ State and local bar associations ☐ State or local agencies ☐ DOJ ☐ Court interpreter or translator professional associations ☐ NCSC/COSCA/ CCJ ☐ State Administering Agencies for Federal Grants ☐ Other: (please specify):_____
7. Are the revenues generated by court fees available to pay for language assistance services?	☐ Yes ☐ No
8. If you responded "No" to Consideration 7, how does your court pay for language assistance service costs? (Select all that apply)	☐ Charging LEP individuals or parties ☐ Fund or account in the court budget ☐ Federal financial assistance ☐ State funding ☐ Local government ☐ Not Sure ☐ Other: (please specify):_____
9. If your response to Consideration 8 included "Charging LEP individuals or parties" is there any discussion of changing this practice?"	☐ Not Started ☐ In Progress ☐ Completed
10. Has your court requested funding for language assistance services from your state legislature?	☐ Not Started ☐ In Progress ☐ Completed
11. When applying for grants and other financial assistance, does your court include language assistance services in the proposed budget?	☐ Not Started ☐ In Progress ☐ Completed
12. Has your court received federal financial assistance from a federal agency that includes funding for language assistance services?	☐ Yes ☐ No
13. What reasons, if any, have prevented your court from expanding the language assistance services that it provides?	

Consideration	Response
14. What else might help your court assess the costs and the resources that will be needed to provide meaningful language assistance services?	

Section K Planning Steps:

- Based on the responses above, what action items will you develop?
- Who is responsible for implementing them?
- What are the timelines and priorities?
- How will you identify measures of progress?

Department of Justice Language Access Resources for Courts

- DOJ Guidance and Information, Enforcement and Investigation Materials, and Language Access Resources are available at http://www.lep.gov/resources/resources.html#SC
- Additional resources can be found at http://www.lep.gov/

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