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Administrative Order 2013-02

LANGUAGE ACCESS PLAN

IT IS ORDERED:

In accordance with Supreme Court Administrative Order 2013-8, the court establishes this Language Access Plan (LAP) to provide for the language access needs of court users.

This LAP is the plan for the court to ensure meaningful access to court services for persons with limited English proficiency (LEP). A limited English proficient person is a person who does not speak English as his or her primary language, and who has a limited ability to read, write, speak, or understand English, and by reason of his or her limitations, is not able to understand and meaningfully participate in the court process.

The purpose of the plan is to provide a framework for the provision of timely and effective language assistance to LEP persons who come in contact with the court.

The court has appointed a language access coordinator to be a contact person for the public, court staff, and SCAO concerning this plan and its implementation. The language access coordinator may be contacted through the court administrator's office.

IT IS ORDERED:

Section I. Needs Assessment

A. Census Data

The court will make every effort to provide service to all LEP persons in the court's service area. The following list shows the non-English languages most frequently spoken in the court's physical jurisdiction.

1. **Spanish or Spanish Creole**
2. **Arabic**
3. **Vietnamese**
4. **Japanese**
5. **Urdu**

B. Court Experience

Based on court usage, the following list shows other non-English languages spoken in the court and not reflected in the US Census data.

1. **Mandarin Chinese**
2. **Korean**
3. **Farsi**
4. **Russian**

C. Identification of LEP Persons

Court staff use the following methods to identify LEP persons:

1. **“I speak” cards are available at the counter for clerks to show to customers who appear to have difficulty understanding the information provided.**
2. **Information is received from individuals accompanying the LEP person.**

Section II. Language Assistance Resources

A. Interpreters Used In the Courtroom

The court will offer assistance to LEP persons in the courtroom by providing foreign language interpreters as required by Michigan Court Rule 1.111.

B. Language Services Outside the Courtroom

The court will take reasonable steps to ensure that LEP persons have meaningful access to services outside the courtroom. This is one of the most challenging situations facing court staff, because in most situations they will encounter LEP persons without an interpreter present. LEP persons may come in contact with court personnel via:

Court staff encounters LEP persons at the lobby windows when they check in for court proceedings, make payments, or for general court inquiries. The probation department encounters LEP persons after a referral from the Judge for a presentence investigation, to monitor bond conditions, or after placement on probation. Probation staff also encounters LEP persons who have been ordered to submit to regular alcohol or drug testing. LEP individuals may find it challenging if they are ordered to engage in substance abuse counseling, twelve-step meetings or community service. The court also encounters LEP persons who contact the court by phone to contest citations, request payment information, or general inquiries.

Court staff will consult with the court’s language access coordinator to determine what type of language service should be made available, based on the nature and importance of the court service to be provided and resources available. The following language services are available:

- **“I speak” translation cards are shown to customers and are available at the counters**
- **SCAO has provided some translated forms which are made available by court staff**

- **In person interpreters, if available**
- **Language Line telephonic interpreters are used at the counter and for telephone calls.**
- **Use of family and/or friends accompanying LEP person**

C. Service Referrals

The court will make reasonable efforts to ensure that a non-federally funded entity to which the court refers LEP persons for services has provisions for addressing their needs. The court will consider viable alternatives if language access is not provided by such a non-federally funded entity.

D. Forms & Documents

The State Court Administrative Office (SCAO) makes select translated forms available to the courts at <http://courts.michigan.gov/Administration/SCAO/Forms/Pages/default.aspx>.

- 1) Currently, the only translated forms the court has available to court users include:
 - Advice of Rights in Arabic, Chinese (mandarin), Japanese, Korean, Polish, Russian, Spanish, and Vietnamese

When in-person interpreters are hired for court proceedings, they are expected to provide sight interpretation of documents for LEP persons.

- 2) Courthouse translation for LEP
 - The court maintains a list of in-person interpreters
 - We have “I speak” cards posted at the counter.
 - Language Line

E. Other Provisions

In an effort to provide LEP persons language access to court information, the court also provides the following:

The court has contacted the English as a Second Language Department at Eastern Michigan University to obtain assistance in translating the court’s website into the most frequently spoken non-English languages in the court’s physical jurisdiction.

Section III. Training

The court is committed to training its judges and court staff, and coordinating with county clerks on providing LEP persons with meaningful access to court services. When the court provides

training sessions, it will include a component addressing LEP policy and procedure and the court's LAP. The court is aware that staff members having contact with the public are more likely to need in-depth training on LEP policy and procedure.

The court will work with SCAO and MJI to ensure that all employees are trained on LEP policy and procedure. Training will be offered to assist judges and staff to: identify and respond to LEP persons, increase awareness of the types of language services available, guide when and how to access those services, and effectively use language services.

The court provides to judges and court staff the following training regarding languages access:

Employees who work the counter, probation department employees, and courtroom employees are trained in using Language Line. The court also participates in programs offered through the Michigan Judicial Institute and the State Court Administrative Office, such as the Language Access Plan webinar and the Southeastern Michigan Court Administrators' and Chief Judges' meetings.

Section IV. Public Notification and Evaluation of Language Access Plan

A. Language Access Plan Approval and Notification

The court's LAP has been approved by the State Court Administrative Office. The court will post its LAP on its public website (if available) or public notification area within the courthouse and will make copies of the LAP available upon request.

The court consulted with the following members of the community in creating its LAP:

- **Eastern Michigan University's English as a Second Language Department**
- **Administrators from the court's funding units, which consist of the cities of Flat Rock, Gibraltar, Rockwood, Trenton and Woodhaven, and the townships of Brownstown and Grosse Ile**
- **City Administrators from surrounding communities, including Lincoln Park, Wyandotte, Southgate, and Riverview**

B. Evaluation and Review of the LAP

At the direction of SCAO, or on its own initiative, the court will assess whether the LAP needs updating. The LAP will remain in effect unless modified or updated. Review of the following areas may indicate a need to update the LAP:

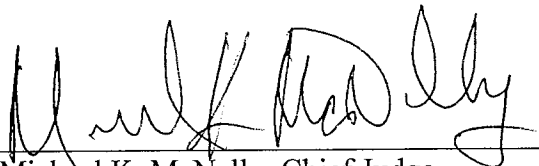
- Number of LEP persons requesting court interpreters or language assistance
- Funding provided or available for languages services
- Current language needs to determine if additional services or translated materials should be provided
- Feedback from LEP communities within the county
- Court staff (turnover, new hires, etc.)
- Feedback from trainings provided by the court or SCAO/MJI

- Viability of identified language services and resources
- Problem areas and corrective action strategies
- Updated census data

The language access coordinator for this court is the Court Administrator who ensures this plan is followed, advises the court on potential updates to this plan, and coordinates the language access needs for the court as they arise. The court has identified the name and contact information of the language access coordinator and advised the State Court Administrative Office. The court will notify the SCAO regional office of any changes to the language access coordinator's contact information, or if a new language access coordinator is named.

Effective Date: 12-5-13

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Michael K. McNally, Chief Judge