

# The 40th District Court

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**Mark A. Fratarcangel**  
CHIEF JUDGE

**Joseph Craigen Oster**  
DISTRICT JUDGE



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Court Administrator

## STATE OF MICHIGAN 40<sup>TH</sup> DISTRICT COURT

ADMINISTRATIVE ORDER: 2013 - 2

### LANGUAGE ACCESS PLAN

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 services to all LEP persons in the court's service area. The following list shows the non-English language most frequently spoken in the court's physical jurisdiction:

1. Spanish or Spanish Creole
2. Polish
3. Italian
4. Greek

**B. Court Experience**

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

1. Arabic

**C. Identification of LEP Persons**

Court staff use the following methods to identify LEP persons:

1. "I Speak" cards
2. Signs

**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:

1. Telephone at all court offices
2. Personal contact at the counters of the courthouse, at the Probation Department or other locations that staff has contact with defendants or other parties needing access to the court.

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:

1. "I Speak" cards
2. Bi-lingual employees
3. Telephonic interpreter services

#### **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 to address 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>.

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

Courthouse translation for LEP is not available at this time. If it is determined that assistance is required, the court will contact a telephonic interpreter service provider.

#### **E. Other Provisions**

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

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### **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 (Michigan Judicial Institute) to ensure that all employees are trained on LEP policy and procedure. If made available through the SCAO or MJI, 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 language access:

1. Mandatory attendance at SCAO/MJI training
2. Clear expectation from leadership that judges and staff show proficiency in:
  - a. Identification of LEP individuals
  - b. When and how to use "I Speak" resources
  - c. When and how to use telephonic interpreter services
3. Clear and consistent protocol for obtaining in person interpreter services

### **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:  
Staff at St. Clair Shores City Hall.

#### **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 language services
- \* Current language needs to determine if additional services or translated materials should be provided
- \* Feedback from LEP communities with the county
- \* Court staff (turnover, new hires, etc.)
- \* Feedback from training provided by the court of 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 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: On approval of the State Court Administrative Office

Date: 12-13-13

Chief Judge Signature:



Mark A. Fratarcangeli (P47117)