

*State of Michigan
County of Oceana
27th Judicial Circuit Court
78th District Court
Probate Court*



27th Circuit Court, Oceana County, Administrative Order 2013-_____
78th District Court, Oceana County, Administrative Order 2013-_____
Oceana County Probate Court Administrative Order 2013-_____

LANGUAGE ACCESS PLAN

In accordance with Supreme Court Administrative Order 2013-8, the Oceana County Circuit, Probate, and District Courts establish this Language Access Plan (LAP) to provide for the language access needs of court users.

This LAP will assist the courts in ensuring meaningful access to court services for persons with limited English proficiency (LEP). A person with limited English proficiency does not speak English as his or her primary language and has a limited ability to read, write, speak, or understand English. Due to these limitations, a limited English proficient individual is not able to meaningfully understand or participate in the court process.

In addition to ensuring that limited English proficient individuals obtain meaningful court access, this LAP also provides a framework for the provision of timely and effective language assistance to LEP persons who come into contact with the courts.

The courts have appointed a Language Access Coordinator for Circuit Court, District Court, and Probate Court to be a contact person for the public, court staff, and SCAO concerning this LAP and its administration and implementation. The Language Access Coordinator may be contacted through the court administrator's office and/or via direct interaction with the courts.

IT IS ORDERED:

Section I: Needs Assessment

A. Census Data

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

1. Spanish

B. Court Experience

The courts' experience and interaction with LEP persons directly reflects the aforementioned language identified by census data at this time. However, if the courts' experience or census data changes over time, the LAP will need to be modified to accommodate the needs of LEP persons within our courts' system.

C. Identification of LEP Persons

Court staff utilizes the following methods to identify LEP persons:

1. *ISpeak Cards* – It will most often be front line staff dealing with an LEP individual for the first time. *ISpeak Cards* in Spanish are available at every window work station so that they are readily accessible for staff when assisting an LEP. If the window staff cannot identify the language being spoken, then the cards will be offered to the LEP person to determine in which language the staff member should proceed with finding resources for the LEP individual.
2. *Signage* – The court lobby will be equipped with signage near the entry way which has the language outlined in the LAP represented inquiring, “In need of interpreter services?” This sign will then have interpreter information that the LEP person can access at his or her discretion. Additionally, signs providing the Language Access Coordinator’s name and contact information will be presented in the Spanish language.
3. *Collaborative Agencies* – All court staff will be responsive to other agencies who contact court staff regarding LEP persons and their needs within other organizations so that they can be more easily assisted by our court staff.
4. *Bilingual Family Member(s)* – If a bilingual family member is present, that family member can identify the foreign language spoken and convey the information to court staff.

Section II: Language Assistance Resources

A. Interpreters Used in the Courtroom

The courts will offer assistance to LEP persons in the courtroom, and for magistrate and referee hearings, by providing foreign language interpreters as required by Michigan Court Rule 1.111.

B. Language Services Outside the Courtroom

The courts 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. The courts have three essential types of contact with the public both at the courthouse and in the

community. LEP persons may come in contact with court personnel through the following interactions or activities:

1. Window – LEP persons will first be in contact with court personnel at the Circuit, Family, District, and Probate Administration, as well as the Friend of the Court, windows in the Courts' lobby areas. Staff at the windows are responsible for assisting clients with checking in for appointments, paperwork, and responding to various requests for information.
2. Appointments – LEP persons will be meeting with staff members for various appointments that are not considered to be court hearings. These appointments include, but are not limited to: mediations, conciliations, probationary meetings, probation groups, preliminary meetings prior to show causes or motions for child support, parenting time, or custody matters, meetings to generate stipulated orders on behalf of the parties, adoption meetings, file viewings, juvenile probation interactions with parents and families, and records requests.

Additionally, the courts have resource individuals who are neither certified or qualified who can provide service for Friend of the Court conciliations, mediations, support enforcement conferences, and child support review conferences.

3. Non-Traditional Court Activities – Whereas window and appointment access obviously occurs within regular court hours, there are other non-traditional court activities that happen after court hours or off the courts' county campus. For example, the Juvenile Division has occasional community service projects where juveniles are supervised off-site to complete court ordered community service; and, the court-appointed Guardian ad Litem makes either home visits or visits to the Medical Care Facility, as well as guardianship reviews by either the court-appointed Guardian ad Litem or court staff. At the time of the file in-take, a determination would be made or known if interpretive services are necessary.

Court staff will consult with the courts' 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 the resources available. The following language services are available for LEP persons encountering different types of court interactions:

1. Window – If a staff member feels that an LEP person has approached the window, then he or she will use the *I Speak Cards* to determine which language the individual is speaking. If the LEP person is not able to select a language, the staff person will contact the Language Access Coordinator and/or his/her designee who will have a complete set of *I Speak Cards* to assist the LEP individual in selecting the necessary language for them to effectively communicate with the court. A language line will be utilized for window clients with LEP so that questions can be answered and information can be presented. If, for any reason, a window staff person feels that this process does not suit the situation and that the language line is a less effective way of assisting the LEP person, the staff person will contact the Language Access

Coordinator and/or his/her designee so that alternative arrangements can be made. For example, if the situation necessitates an in-person interpreter instead of one on the language line, this determination will be made by the Language Access Coordinator. A staff member working with an LEP individual should always contact the Language Access Coordinator and/or his/her designee so that continuity of services can be maintained for the LEP person as he/she progresses through court procedures. Finally, if an LEP person has brought an English speaking assistant with them to communicate with court personnel, the *I Speak Cards* and language line will still be used to ensure that all information is properly conveyed to the LEP person. The LEP person may choose to have assistance from the English speaking person they have brought with them while completing paperwork.

2. *Appointments* – Staff members meeting with LEP persons for appointment purposes will follow the same procedures that window staff use. Appointment staff persons will use *I Speak Cards* to assist in determining which language should be used with an LEP person unless they have been previously notified by the Language Access Coordinator and the language is already determined. If the language is not determined, the appointment staff will proceed with the *I Speak Cards* and accessing the language line to interpret for the appointment. Staff members will always default to attempting to use the language line first unless it is felt by the Language Access Coordinator and/or the staff person that an in-person interpreter is necessary. If this is the scenario, an appointment may need to be rescheduled with the assistance of the language line to allow for the in-person interpreter to be present. Further, some appointments, due to their length (conciliations, etc.) may be better to schedule with an in-person interpreter at the discretion of the Language Access Coordinator and/or the staff person.
3. *Non-Traditional Court Activities* – In cases where an LEP person is scheduled for Friend of the Court orientation, every attempt to coordinate the orientation with another appointment or visit will be made to ensure continuity of services and also make it more convenient for the LEP person. This will be especially true if an in-person interpreter will already be available for another appointment or visit. In instances where there is no other appointment or visit to coordinate with, then a separate appointment will be made to accommodate the LEP person's orientation or diversion needs. If an LEP person is scheduled for community service, every attempt will be made to align that individual with an acceptable community service venue where the language is utilized. If this type of setting is unavailable, then community service may be provided by court staff, and an in-person interpreter will be provided for the LEP person as necessary.

C. Service Referrals

The courts will make reasonable efforts to ensure that a non-federally funded entity to which the courts refer LEP persons for services (i.e., mediation, counseling sessions, community service) has provisions for addressing their needs. The courts will consider viable alternatives if language access is not provided by such a non-federally funded entity.

D. Forms and Documents

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

1. The courts currently use translated forms available from SCAO, but will begin building a forms library moving forward to better assist LEP persons. Forms will be assembled based on need as resources become available to the courts. This database of forms will be maintained and utilized by the Language Access Coordinator for Oceana County when meeting with LEP persons to address their needs.

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

2. The translation of written materials for LEP persons will be treated in the same fashion explained above when discussing window interactions (p. 3). Written materials can be read aloud over the language line and then translated for the LEP person. Signage, as specified within this language plan, will indicate that sight interpretation of documents is available.

E. Other Provisions

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

1. Signage indicating who the Language Access Coordinator is in the aforementioned language(s) with his or her contact information.
2. Information on the courts' website in the aforementioned language indicating who the Language Access Coordinator is and how to contact that person if someone is in need of services.

Section III: Training

The courts are committed to training the judges and court staff on providing LEP persons with meaningful access to court services. When the courts provide training sessions, it will include a component addressing LEP policy and procedure and the courts' LAP. The courts are aware that staff members having contact with the public are more likely to need in-depth training on LEP policy and procedure. Annual training will be provided for these reasons to also keep staff aware of changes in policy, procedure, or tools utilized when working with LEP persons.

The courts 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 courts provide judges and court staff the following training regarding language access:

1. Initial In-service – This will be provided to judges and staff following the acceptance of the LAP by SCAO. This initial training will cover the LAP and the policies and procedures from which the LAP was derived. *I Speak Cards* and language lines will be explained and demonstrated as these materials are dispersed as outlined in the LAP. Signage and the role of the Language Access Coordinator will also be outlined. Copies of the LAP will also be distributed to all judges and staff. The process for obtaining in-person interpreters will also be covered with all staff and judges. Trainings will be presented by the Language Access Coordinator. The back-up Access Coordinator will also be explained at this time.
2. Annual Trainings – These yearly trainings will be completed to refresh the details of the LAP for staff and judges. This will also be an excellent opportunity for new information to be presented to judges and staff. Training documentation will be kept by the Language Access Coordinator, who will be responsible for all trainings and distribution materials.
3. Learning Experience Trainings – Occasionally, situations will arise where it will be necessary to immediately educate staff and judges about information pertaining to assisting LEP persons. The Language Access Coordinator will be responsible for the delivery of such information to staff and judges in written form so it can be retained for future reference by staff and judges.
4. New Hire Training – A copy of the LAP will be provided to each incoming employee. Each new employee will sign an acknowledgement form that they have received and read the LAP. On the job training will be provided by other staff and by the Language Access Coordinator as necessary.

Section IV: Public Notification and Evaluation of Language Access Plan

A. Language Access Plan Approval and Notification

The courts' LAP has been approved by the State Court Administrative Office (SCAO). The courts will post the LAP on the courts' public website and the public bulletin board areas within the courthouse. Copies of the LAP will be available upon request at the lobby window areas. The courts have distributed the LAP to local meeting centers, places of worship, and school districts to encourage collaboration and feedback with LEP individuals and will continue to work with the local community to incorporate changes in the future. As or if the LAP is modified in the future, it will be redistributed to those entities for further collaboration so as to most effectively assist those individuals.

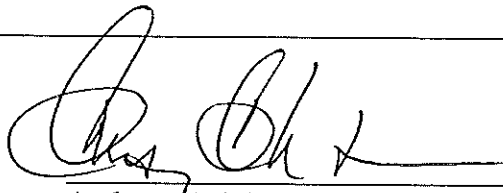
B. Evaluation and Review of the LAP

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

1. Number of LEP persons requesting court interpreters or language assistance
2. Funding provided or available for language services
3. Current language needs to determine if additional services or translated materials should be provided
4. Feedback from LEP communities within the county
5. Court staff (turnover, new hires, etc.)
6. Feedback from trainings provided by the court, SCAO, or MJI
7. Viability of identified language services and resources
8. Problem areas and corrective action strategies
9. Updated census data
10. Feedback from local personnel at Community Mental Health or the local hospital.


The Language Access Coordinator for these courts ensures this plan is followed, advises the courts on potential updates to this plan, and coordinates the language access needs for the courts as they arise. The courts have identified the name and contact information of one Language Access Coordinator for combined Circuit/District/Family/Probate Courts. The courts will also designate a back-up Language Access Coordinator to assist with matters if the primary Language Access Coordinator is unavailable or out of the office. The courts will notify SCAO of any changes to the Language Access Coordinator's contact information.

Date: 11-20-13

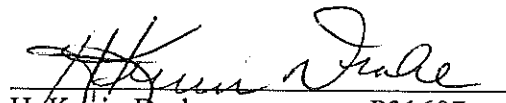


Anthony A. Monton P26051
Chief Circuit Judge

Date: 11-19-13


Bradley G. Lambrix P37708
Chief Probate Judge

Date: 11-19-13


H. Kevin Drake P31607
Chief District Judge

SCAO Approval Date: 1-3-14