

29TH JUDICIAL DISTRICT LANGUAGE ACCESS PLAN

Section I. Legal Basis and Purpose

This Language Access Plan (LAP) is the plan for the 29th Judicial District to ensure meaningful access to court services for persons with limited English proficiency (LEP), or who are deaf or hard of hearing, in compliance with Title VI of the Civil Rights Act of 1964, the Omnibus Crime Control and Safe Streets Act, the Pennsylvania Interpreter Act, and the Administrative Regulations Governing Court Interpreters for Persons with Limited English Proficiency and for Persons Who Are Deaf or Hard of Hearing. 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 therefore may be unable to understand and meaningfully participate in the court process. Although deaf and hard of hearing individuals are covered under the Americans with Disabilities Act (ADA) rather than Title VI of the Civil Rights Act, they have been included in this plan insofar as they relate to the Pennsylvania Interpreter Act and the Administrative Office of Pennsylvania Courts' (AOPC) Interpreter Certification Program Regulations.

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

The 29th Judicial District's appointed Language Access Coordinator is:

Name: Eileen A. Dgien
Title: Deputy Court Administrator

The Language Access Coordinator is to be the contact person for the public, court staff, and the AOPC concerning this plan and its implementation. The language access coordinator may be contacted through:

Address: Court Administrator's Office
48 West 3rd Street
Williamsport, Pa 17701
Phone: 570-327-6700
Email: edgien@lyco.org

Section II. Needs Assessment

A. Statewide Survey

The 29th Judicial District of the Commonwealth of Pennsylvania will make every effort to provide services to all LEP, deaf and/or hard of hearing persons in the court's service area. According to the 2010 AOPC survey of the district court administrators of Pennsylvania, the most widely used languages requiring interpreters in Pennsylvania's judicial district were:

1. Spanish (67)
2. American Sign Language (51)
3. Mandarin Chinese (25)
4. Russian (20)
5. Vietnamese (14)
6. Arabic (14)
7. Korean (11)
8. Polish (10)
9. Italian (10)
10. French (10)

B. Judicial District Data

The following list shows the non-English languages most frequently spoken in the judicial district's physical jurisdiction, based on census data compiled by the Penn State Data Center:

1. Spanish
2. Other West Germanic languages
3. German
4. French
5. Italian

The following list shows the 5 most common languages, including ASL, for which interpreters were provided in the 29th Judicial District of Lycoming County for years 2012 and 2013:

1. American Sign Language
2. Spanish
3. Russian
4. French
5. Italian

C. Identification of the LEP Persons

In the Court of Common Pleas in Lycoming County the LEP person will be identified by initial conversation with one of the court offices or by the security guards in the front lobby. We will put interpreter request forms on the internet (www.lyco.org), in order to give court employees and the public quick access to the form used to request an interpreter. Request forms will also be available at the Court Administrator's Office. Once that request is made, it will be forwarded to the Court Administrator's Office who will make all the arrangements to obtain an interpreter. We will also display posters and or directions for non-English speaking, deaf or hard of hearing individuals, who are already in the courthouse looking for interpreter help. The directions will send them to the Court Administrator's Office to pick up an interpreter request form. This information will also be posted at each MDJ office.

Section III. Language Assistance Resources

A. Interpreters Used in Judicial Proceedings

The 29th Judicial District will offer assistance to LEP and deaf or hard of hearing persons during judicial proceedings by providing foreign language interpreters as required by Title VI of the federal Civil Rights Act, the Pennsylvania Interpreter Act, and its regulations. As defined by the Pennsylvania Interpreter Act, it is "the policy of this Commonwealth to secure the rights, constitutional and otherwise, of persons who because of a non-English speaking cultural background or because of an impairment of hearing or speech are unable to understand or communicate adequately in the English language when they appear in court or are involved in judicial proceedings." Pursuant to the regulations under Act 172, the Pennsylvania Interpreter Act, specific persons are required to give notice to the court of the need for an interpreter in certain types of cases, but "anyone with knowledge of a principal party in interest, witness or direct victim's need for an interpreter may give notice of that need to the presiding judicial officer or the Appellate Court Prothonotary/ District Court Administrator or his or her designee..."

The 29th Judicial District provides interpreters for judicial proceedings in compliance with the rules and policies set forth in the Pennsylvania Interpreter Act and regulations, the AOPC Interpreter Certification Program regulations, and the Guidelines for the Procurement and Appointment of Interpreters issued by the AOPC. Interpreter requests and waiver forms are available on the Interpreter

Certification Program page of the UJS website, <http://www.pacourts.us/judicial-administration/court-programs/interpreter-program>. These forms will be acceptable. For the additional convenience of its court users, Lycoming County has prepared a single interpreter request form that can also be used and is available on the Court Administrator's page on the Lycoming County website (www.lyco.org)

The Pennsylvania Interpreter Certification Program ("ICP") maintains a statewide roster of certified, otherwise qualified and registered interpreters who may work in Pennsylvania courts, which is available to the staff and the public on line at <http://www.pacourts.us/judicial-administration/court-programs/interpreter-program/interpreter-roster>. Once requests are sent to the Court Administrator's Office, all efforts will be made to obtain a statewide certified interpreter or a registered interpreter who worked in the court systems previously. If it is impossible to obtain an interpreter, the Judicial District will contact AOPC for guidance.

B. Language Services Beyond Judicial Proceedings

The 29th Judicial District is also responsible for taking reasonable steps to ensure that LEP persons have meaningful access to all court services; once the LEP court users have been identified using the resources listed in section II(C) above. 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 most prevalent areas of contact with LEP court users in the Court of Common Pleas of Lycoming County are telephone inquiries, security access at the front door and/or directly with personnel in each of the court departments, as we have no central information desk in our courthouse.

Once identified, the Court Administrator's office will make interpreter services available to the LEP user, upon a completed application. If needed the most popular requests that have provided in the past are telephone interpreter services, non-English speaking forms, video remote interpreting, sign-language interpreting and certified language interpreting.

C. Forms & Documents

1. The Commonwealth of Pennsylvania, the Administrative Office of Pennsylvania Courts, makes selected translated forms available to the courts on its website <http://www.pacourts.us/forms/for-the-judiciary> . We will also make these forms available on the Court Administrator's Office website.

2. The Court of Common Pleas intends to translate often-used documents at least into the most prevalent non-English speaking language, Spanish, for this judicial district. Documents such as complaints, PFA forms, and standard criminal and civil notices, will be placed on the web site.

D. Other Provisions

With the goal in mind to provide LEP persons the information necessary to use the total court system, the Court of Common Pleas of Lycoming County plans to make available in by July 2015 pro-se divorce documents translated to Spanish on their present web site (www.lyco.org)

Section IV. Training

The judicial district will work with the AOPC to ensure that all employees are trained on LEP policy and procedure. Judicial district staff will attend training to assist them to: identify and respond the LEP persons, increase awareness of the types of language services available, guide when and how to access those services, and effectively use language services. New employees, especially those who will have regular contact with the public, will be required to attend language access training.

Judicial district staff will attend and county clerks will be offered periodic training for employees who have frequent contact with the public.

Section V. Public Notification and Evaluation of Language Access Plan

A. Language Access Plan Approval and Notification

The 29th Judicial District has sought the cooperation and the comments from all the related elected officials in the Courthouse in order to assist in obtaining services for

the LEP people. The Judicial District will also seek information and support from the District Attorney's office, the Public Defender Office and local legal aid.

B. Evaluation and Review of the LAP

The judicial district will review this LAP (Language Access Plan) six months from its inception, and biennially thereafter to 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:

- Increase in number of LEP and deaf or hard of hearing 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 and deaf or hard of hearing communities and stakeholders within the judicial district
- Court staff (turnover, new hires, etc.)
- Feedback from trainings provided by the judicial district or AOPC
- Viability of identified language services and resources
- Problem areas and corrective action strategies
- Updated census data

The language access coordinator for this judicial district ensures this plan is followed, advises the court on potential updates to this plan, and coordinates provision of language access services for the judicial district as they arise. The name, followed by the contact information of the language access coordinator is: Adrienne J. Stahl, 48 West Third Street, Williamsport, Pa. 17701. The judicial district will notify the AOPC of any changes to the language access coordinator's contact information, or if a new language access coordinator is named. Any revisions to the language access plan will be communicated to all court personnel, and an updated version of the plan will be posted on the court's website and in a public notification area in the courthouse, as well as distributed to all relevant stakeholders.

Section VI. Grievance Procedure

Any LEP, deaf or hard of hearing individual has the right to file a complaint against the 29th Judicial District when he or she believes that the 29th Judicial District did not provide the necessary LEP or sign language services. The Language Access Coordinator shall take reasonable

steps to inform LEP, deaf or hard of hearing court users about the availability of complaint forms.

The Language Access Coordinator shall:

- Utilize the attached complaint procedure and form
- Publish and make the complaint procedure and form readily available
- Post the complaint procedure prominently in the court facilities and on the court's website

All complaints regarding the LAP should be forwarded to:

Eileen A. Dgien
Language Access Coordinator
29th Judicial District
48 West Third Street
Williamsport, PA 17701
Phone: 570-327-6700
Fax: 570-327-2293
Email: edgien@lyco.org

The Language Access Coordinator or his/her designee will investigate any complaints that allege noncompliance with this LAP. If the investigation results in a finding of compliance, the Language Access Coordinator will inform the LEP individual in writing of the determination, including the basis for determination. If the investigation results in a finding of noncompliance, the Language Access Coordinator will inform the LEP person of the noncompliance in a letter that outlines the steps that will be taken to correct the noncompliance.

Effective Date: _____

Date: _____ Language Access Coordinator Signature: _____

Date: _____ President Judge Signature: _____