

**Superior Court of Pinal County
Pinal County Limited Jurisdiction Courts
Kearny Magistrate Court**

Language Access Plan (LAP)

I. Legal Basis and Purpose

This document serves as the plan for the Arizona Superior Court of Pinal County to provide to persons with limited English proficiency (LEP) services that are in compliance with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.; 45 C.F.R. § 80.1 et seq.; and 28 C.F.R. § 42.101–42.112). The purpose of this plan is to provide a framework for the provision of timely and reasonable language assistance to LEP persons who come in contact with the Superior Court of Pinal County.

This language access plan (LAP) was developed to ensure meaningful access to court services for persons with limited English proficiency. Although court interpreters are provided for persons with a hearing loss, access services for them are covered under the Americans with Disabilities Act rather than Title VI of the Civil Rights Act, and therefore will not be addressed in this plan.

II. Needs Assessment

A. Statewide

The State of Arizona provides court services to a wide range of people, including those who speak limited or no English. From a statewide perspective, the following languages were listed with the greatest number of speakers who spoke English less than “Very Well” in Arizona (according to the American Community Survey estimate report from the U.S. Census Bureau dated March 2022):

1. Spanish
2. Navajo
3. Vietnamese
4. Chinese
5. Arabic

B. Superior Court of Pinal County

The Superior Court of Pinal County is responsible to provide services identified in this plan to all LEP persons. However, the following list shows the foreign languages that are most frequently used in this court or the COURT’S geographic area.

1. Spanish

- 45 2. Arabic
- 46 3. Lao
- 47 4. Mandarin
- 48 5. Thai

49
50 This information is based on data collected from the Kearny Magistrate Court and/or the United
51 States Census Bureau data for Arizona)].

52
53 **III. Language Assistance Resources**

54
55 **A. Interpreters Used in the Courtroom**

56
57 **1. Providing Interpreters in the Courtroom)**

58
59 In the Kearny Magistrate Court, court interpreters will be provided in all courtroom proceedings
60 at no cost to all LEP witnesses; litigants; victims; parents, guardians, and family members of minor
61 witnesses, victims, and/or litigants; as well as any other person whose presence or participation is
62 necessary or appropriate as determined by the judicial officer.

63
64 The Superior Court of Pinal County employs credentialed interpreters in the courtroom pursuant
65 to the provisions of Arizona supreme court administrative order 2016-02 on the credentialing of
66 court interpreters, and Arizona code of judicial administration § 7-301 on continuing education
67 requirements for credentialed interpreters. To comply with these authorities, the court will
68 implement written policies regarding the use of interpreters. [see sample in Addendum A]

69
70 It is the responsibility of the private attorney, Public Defender or County Attorney to provide
71 qualified interpretation and translation services for witness interviews, pre-trial transcriptions
72 and translations and attorney/client communications during out of court proceedings.

73
74 **2. Determining the Need for an Interpreter in the Courtroom**

75
76 The Superior Court of Pinal County may determine whether a court customer has limited English
77 proficiency. Identification of language needs at the earliest point of contact is highly
78 recommended. The need for a court interpreter may be identified prior to a court proceeding by
79 the LEP person or on the LEP person's behalf by counter staff, self-help center staff, family
80 court services, or outside justice partners such as probation/parole officers, attorneys, social
81 workers or correctional facilities. Courts should have a documented process to identify LEP
82 needs for parties with notation in the physical and electronic case file.

83
84 Signage throughout the court building indicating interpreter services are available may also help
85 to identify LEP individuals. The Kearny Magistrate Court will display this sign at the clerk's
86 window.

87
88 The need for an interpreter also may be made known in the courtroom at the time of the

89 proceeding. In a case where the court is mandated to provide an interpreter, but one is not
90 available at the time of the proceeding, even after the court has made all reasonable efforts to
91 locate one, as previously outlined in this plan, the case will be postponed and continued on a date
92 when an interpreter can be provided.

93 94 **3. AOC Interpretation Resources**

95
96 Court Interpreter Registry, Roster of Credentialed Court Interpreters, and Listserv:

97
98 The AOC maintains a statewide registry of individuals who indicate they have interpreting
99 experience and have expressed interest in working in the courts. The registry includes
100 information on the individuals' credentialing status with the Arizona court interpreter
101 credentialing program (ACICP). The court using interpreting services will determine the
102 competence of the persons listed and their suitability for a given assignment. This registry is
103 available to court staff on the Internet at <https://apps.azcourts.gov/registry>.

104
105 The AOC also maintains a public Arizona roster of credentialed court interpreters. The public
106 roster lists the name, language, credential level, and contact information for those interpreters
107 who have successfully earned an ACICP credential and who have consented to having their
108 information appear in the public roster. The public roster is available on the Arizona Judicial
109 Branch website at <https://www.azcourts.gov/interpreter/>.

110
111 Additionally, AOC created a statewide listserv to allow courts to communicate via email on
112 court interpreter-related matters. The listserv is an excellent resource to locate referrals for
113 specific language needs. Access codes and instructions to join the listserv may be obtained from
114 the AOC Language Access contact person.

115
116 Video Remote Interpreting (VRI):

117
118 The AOC has installed video conferencing equipment at the State Courts building that will allow
119 courts with compatible technology to remotely conference an interpreter from the Phoenix metro
120 area or from another court jurisdiction into their court to improve resource allocation and reduce
121 time and costs associated with interpreter travel. Contact the AOC Language Access Contact for
122 more information on VRI connectivity and a checklist for court proceedings most appropriate for
123 video.

124 125 **B. Language Services Outside the Courtroom**

126
127 The Superior Court of Pinal County is also responsible for taking reasonable steps to ensure that
128 LEP individuals have meaningful access to all court services and programs outside the
129 courtroom. Court services and programs include but are not limited to self-help centers, clerk
130 offices, intake officers, cashiers, and records room.

131 132 **1. Assistance to Understand Court Procedures and Policies**

133
134 Services offered by the court generally to English-speaking customers pursuant to the
135 employee code of conduct (ACJA §1-303) must also be provided to LEP litigants in their
136 language.

137
138 **2. Assistance to Fill-Out Court Forms and Pleadings**

139
140 The Kearny Magistrate Court will assist in the filling-out of court forms for those LEP
141 court customers who are unable to do so either by themselves or with the assistance of
142 another competent adult proficient in English and able to render assistance in a timely
143 manner.

144
145 **3. Court-Ordered Services and Programs**

146
147 The court also is responsible for taking reasonable steps to ensure that LEP individuals have
148 meaningful access to all court-ordered services and programs. Court-ordered services and
149 programs include but are not limited to conciliation, mediation, arbitration, treatment or
150 educational programs provided by a court employee or a private vendor under contract with the
151 court. Contracts with vendors that provide direct services to court users must include the
152 requirement that the vendor provide language services, including interpreters, for all LEP
153 individuals.

154
155 The court uses the following resources to facilitate communication with LEP individuals and
156 court staff or providers of court-ordered services:

- 157
158
- Staff court interpreters or independent interpreter contractors;
 - Bilingual employees;
 - Bilingual volunteers;
 - “I Speak” cards, to identify the individual’s primary language;
 - Written information on how to access and navigate the court;
 - Multilingual signage throughout courthouse locations in the following languages:
164 Spanish
 - Telephonic interpreter services, (from contract interpreters or an agency); and,
 - A public court phone line with key instructions provided in to request court services.
 - Video remote interpreting services (where available)
 - The terms of the court’s contracts with providers of court-ordered services.
- 168
169

170 To provide linguistically accessible services for LEP individuals, the Superior Court of Pinal
171 County provides the following:

- 172
- Self-help center services that include bilingual self-help center staff, telephonic language
173 assistance, and volunteers that provide self-help services to LEP persons in their primary
174 language];
- 175

- 176 • Workshops in Spanish regarding: Kearny Town Code Violations
- 177 • Bilingual family court services mediators for custody and visitation matters; and
- 178 • Written informational and educational materials and instructions in Spanish.
- 179 • Website links from court's website (if applicable) to the Supreme Court's Spanish
- 180 translated webpage for court forms and instructions and other language access related
- 181 resources such as the court's LAP and complaint form and process should be made
- 182 available online.

183 **4. Bilingual Staff and Volunteers** (see instruction 8)

184
185
186 The Superior Court of Pinal County uses bilingual staff and volunteers, if applicable, in the
187 provision of linguistically accessible services for LEP individuals. These staff assist LEP
188 individuals in the same manner as that for English-speaking court users.

189
190 Bilingual staff and volunteers who have not completed the credentialing program are not used in
191 lieu of interpreters, either in court or for court-ordered programs and services.

192 **C. Court Appointed or Supervised Personnel**

193
194
195 The Superior Court of Pinal County also shall ensure that court appointed or supervised
196 personnel, including but not limited to child advocates, guardians ad litem, court psychologists
197 and doctors provide language services, including interpreters as part of their service delivery
198 system to LEP individuals.

199 **D. Translated Forms and Documents**

200
201
202 The Arizona courts understand the importance of translating forms and documents so that LEP
203 individuals have greater access to the courts' services. The Superior Court of Pinal County
204 currently uses forms and instructional materials translated into Spanish.

- 205 • The court has translated various vital documents into other languages:

206
207
208 These documents are located at 355 Alden Road.

209 **1. Sight Translation**

210
211
212 The court will provide assistance so LEP persons may understand court-issued documents
213 provided in English through sight translation or other reasonable means.

214 **E. Websites/Online Access**

215
216
217 If the court operates an Internet website, it will ensure the website is accessible to LEP persons
218 and will include, at a minimum:

- 220
221 • A notice about the availability of language services written in Spanish and posted on the
222 home page.
223 • A hyperlink to Arizona Supreme Court’s Spanish-translated webpage at
224 <https://www.azcourts.gov/elcentrodeautoservicio>
225

226
227 **IV. Court Staff and Volunteer Recruitment**

228
229 **A. Recruitment of Bilingual Staff for Language Access**

230 The Superior Court of Pinal County is an equal opportunity employer and recruits and hires
231 bilingual staff to serve its LEP constituents. Primary examples include but are not limited to:
232

- 233
234 • Court interpreters to serve as regular full-time or part-time employees or regular
235 interpreter contractors of the court.
236 • Bilingual staff to serve at public counters and or self-help centers; and
237 • Bilingual staff available on call to assist with contacts from LEP individuals, as needed.
238

239 **B. Recruitment of Volunteers for Language Access**

240 The court also recruits and uses volunteers to assist with language access in the following areas:
241

- 242
243 • In self-help centers, to assist LEP users;
244 • At public counters to provide interpretive services between staff and the LEP public
245

246 **V. Judicial and Staff Training :**

247 The Superior Court of Pinal County is committed to providing language access training
248 opportunities for all judicial officers and staff members. Training and learning opportunities
249 currently offered will be expanded or continued as needed. Those opportunities include
250

- 251 • Interpreter coordinator training;
252 • Diversity Training;
253 • Cultural competency training;
254 • LAP training;
255 • Staff attendance in Spanish and training, provided by the court in partnership with local
256 colleges and institutions to offer these classes on site and free to employees on court time,
257 or through tuition reimbursement;
258 • New employee orientation training; and,
259 • Judicial officer orientation on the use of court interpreters and language competency.
260 • AOC’s Language Access in the Courtroom Training DVD
261 • AOC’s language access online training videos located at
262 <http://www.azcourts.gov/educationservices/cojet-classroom/video-center>

263
264
265
266
267
268
269
270
271
272
273
274
275
276
277
278
279
280
281
282
283
284
285
286
287
288
289
290
291
292
293
294
295
296
297
298
299
300
301
302
303
304
305
306

VI. Public Outreach and Education

A. General

To communicate with the court’s LEP constituents on various legal issues of importance to the community and to make them aware of services available to all language speakers, the Superior Court of Pinal County provides community outreach and education and seeks input from its LEP constituency to further improve services. Outreach and education efforts include:

- Public service announcements in Spanish, provided periodically through local newspaper on the availability of self-help center services and public workshops.
- Partnerships and collaborations with: community service centers/bar associations/governmental social service providers/volunteer organizations/public libraries to provide a court presence in the LEP community.

The court will solicit input from the LEP community and its representatives through and will seek to inform community service organizations on how LEP individuals can access court services.

B. Videos, Webinars, On-Line Classes, In-Person Classes and Other Similar Instructional Methods

New public-facing videos designed to assist litigants or the public more broadly shall be in English and Spanish.

Those videos, webinars, and instructional materials currently in existence which are deemed to be “vital” shall be made available in Spanish.

The court will determine whether any existing videos, webinars, and instructional materials should be made available in languages other than English and Spanish by considering the Department of Justice’s four-factor analysis.

VII. Formal Complaint Process

If an LEP court customer believes meaningful access to the courts was not provided to them, they may choose to file a complaint with the trial court’s Language Access Plan Coordinator. The court will develop a complaint process that includes at a minimum, the following information:

- The court will respond to any complaint within 30 days and the records will be maintained as public records.
- The complaint may be filed as follows:
 - Request complaint form
 - Return to the court clerk

- 307 ○ Response from the court within 14 days
- 308 ○
- 309 • The court has attached the complaint form (English/Spanish) to the LAP. In the
- 310 alternative, the complaint forms may be located at Kearny Magistrate Court
- 311 • The court will ensure the translated versions of the complaint form are available in
- 312 multiple locations, including, but not limited to:
- 313 ○ Forms posted on the court's website and
- 314 ○ Hard copy forms available at public counters.
- 315

316 **VIII. Public Notification and Evaluation of LAP**

317 **A. LAP Approval and Notification**

319 The Superior Court of Pinal County's LAP is approved by the presiding judge and court
320 executive officer. Upon approval, please forward a copy to the AOC Court Services Division.
321 Any revisions to the plan will be submitted to the presiding judge and court executive officer for
322 approval, and then forwarded to the AOC. Copies of Superior Court of Pinal County's LAP will
323 be provided to the public on request.
324

325 **B. Evaluation of the LAP**

326 The Superior Court of Pinal County will routinely assess whether changes to the LAP are
327 needed. The plan may be changed or updated at any time but reviewed not less frequently than
328 once every two years.
329

330 Every 2 years the court's the presiding judge of the Kearny Magistrate Court will review the
331 effectiveness of the court's LAP and update it as necessary. The evaluation will include
332 identification of any problem areas and development of corrective action strategies. From time to
333 time, the court may consider using a survey sampling of data collection for a limited time period
334 which involves assessing language access requests to assist in the evaluation of the LAP.
335

336 Elements of the evaluation will include:
337

338 Number of LEP persons requesting [court interpreters] [language assistance]

- 339 • Assessment of current language needs to determine if additional services or translated
- 340 materials should be provided;
- 341 • Solicitation and review of feedback from LEP communities within the county;
- 342 • Assessment of whether court staff adequately understand LEP policies and procedures
- 343 and how to carry them out;
- 344 • Review of feedback from court employee training sessions; and,
- 345 • Customer satisfaction feedback as indicated on the access and fairness survey, if
- 346 administered by the court during this time period.
- 347 • Review any language access complaints received during this time period.
- 348
- 349

350
351
352
353
354
355
356
357
358
359
360
361
362
363
364
365
366
367
368
369
370
371
372
373
374
375

C. Trial Court Language Access Plan Coordinator:

Hon. David J. Orzell
Presiding Judge of the Kearny Magistrate Court
(520) 866-7821
dorzell@courts.az.gov

D. AOC Language Access Contact:

David Svoboda
Court Services Division
Administrative Office of the Courts
1501 W. Washington Street, Suite 410
Phoenix, AZ 85007
(602) 452-3965, dsvoboda@courts.az.gov

E. LAP effective date: 10/24

F. Date of last revision: [10/24]

G. Approved by:

Presiding Judge: David J. Orzell Date: 10/21/24

Court Executive Officer: Holli Lerma Date: 10/21/24