

**Language Assistance Plan (LAP)**

**Benton-Franklin Counties Juvenile Justice Center (BFJJC)**

# **Language Access Plan of Benton-Franklin Counties Juvenile Justice Center (BFJJC)**

## **I. PURPOSE**

This LAP sets forth the BFJJC's policy and procedures for the provision of timely language access services that ensure access for all limited English proficient (LEP), deaf, hard of hearing, and deaf-blind (D/HH/DB) individuals who come in contact with BFJJC's services and programs. Language access services include both interpretation and translation services for LEP and D/HH/DB individuals.

## **II. COURT POLICY REGARDING LANGUAGE ACCESS SERVICES**

Under Washington state law (RCW 2.42 and 2.43), Title VI of the Civil Rights Act of 1964 (Title VI), the Omnibus Crime Control and Safe Streets Act of 1968 (Safe Streets Act), the Americans with Disabilities Act (ADA), and the regulations implementing these federal laws, Washington courts are required to provide language access services to all LEP and D/HH/DB individuals in civil and criminal court proceedings and in all court-managed services and programs and to develop a written language access plan pursuant to RCW 2.43.090.

It is the policy of BFJJC to provide foreign language interpreter services at no cost to LEP parties, witnesses, victims, and others with an interest (e.g., parents, legal guardians, custodians) in all court proceedings and operations, both civil and criminal, other than when it is the responsibility of other government bodies pursuant to state law. It is also the policy of this court to provide sign language interpreting services at no cost to persons who are D/HH/DB as required under applicable state and federal statutes and regulations.

BFJJC will provide accessible information to LEP and D/HH/DB persons on how to request these language assistance services and vital documents as part of its notice to the public about its language access services.

Although D/HH/DB individuals are covered under the ADA and RCW 2.42 rather than Title VI and the Safe Streets Act, this plan covers language access services for both D/HH/DB and LEP individuals.

## **III. DATA COLLECTION AND NEEDS ASSESSMENT**

The Juvenile Court Administrator for BFJJC will, on an annual basis, compile demographic data regarding the language needs of its community. The court will initially review data from sources such as the following:

- Washington Tracking Network; Language Populations for Communities
- Kennewick, Richland and Pasco School Districts

- Benton-Franklin Health District

This data will be analyzed annually to determine whether the court's allocation of language access resources is appropriate.

The BFJJC will make every effort to track requests for language access services by:

- Language preference (both spoken, written, and signed)
- If denied reason for denial

In addition to mechanisms discussed under the identification of language needs section below, the BFJJC will track this internal data in its Juvenile Tracking System (JTS) in-house case management system. On a quarterly basis, the court will analyze the data collected to identify whether services requested are in fact provided, assist in the allocation of language access resources, and identify gaps in the provision of services to address future needs.

The BFJJC will send the final data compilation and analyses in the form of a biennial report to the Washington State Court Interpreter Commission to assist the Commission in monitoring of the court's Language Access Plan, identification of interpreter training and certification strategies, and other tools to assist the AOC and local courts in the provision of language access services.

#### **A. Identified Current Needs**

The most current language need identification efforts undertaken by BFJJC shows the following non-English languages, whether spoken or signed, that are most frequently used in Benton-Franklin Counties:

- Spanish
- Chinese
- Serbo-Croatian
- Vietnamese
- Russian
- Arabic

The most current language need identification efforts undertaken by BFJJC shows the following foreign or sign languages that are most frequently used in our court community:

- Spanish
- ASL/Deaf Interpreting
- Somali
- Russian
- Arabic
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## **B. Identified Future Needs (if any)**

The BFJJC has identified the following emerging and/or additional languages among court users in the area for which resources will be needed in the future:

- Somali
- Karen
- Arabic

## **IV. LANGUAGE ASSISTANCE IDENTIFICATION AND RESOURCES**

### **A. Legal Process Unit**

The BFJJC has designated Carol Vance, Legal Process Supervisor as the person responsible for coordinating language access services and to whom requests for interpreters and other language access services may be addressed. This designated person is available to:

- Develop lists of interpreters and secure interpreter services
- Receive and track language assistance requests;
- Address gaps in interpreter services by conducting outreach as needed;
- Provide information to assist LEP and D/HH/DB individuals to secure language access services;
- Assist or provide referrals to attorneys, justice partners, and other relevant persons to secure language access services for their clients and constituents;
- Assist court staff with securing language access services; and
- Answer questions from LEP and D/HH/DB individuals, and the public at large, regarding the court's available language access services, including the court's language access resources such as translated materials, interpreter roster, language identification cards, and other resources identified in this Plan.

LEP and D/HH/DB individuals, attorneys, justice partners, government agencies, and any other entities in need of language access services for court programs or activities or to acquire such services or information for themselves or their clients, may contact:

*Carol Vance, Legal Process Supervisor*  
5606 W Canal Pl.  
Suite 106  
Kennewick, WA 99336  
509-736-2716  
[Carol.vance@co.benton.wa.us](mailto:Carol.vance@co.benton.wa.us)

### **B. Identification of Language Access Needs and Notice of Availability**

LEP and D/HH/DB, individuals may come in contact with court personnel via the phone, TTY / TDD, in-person, or through other means. In addition, there are various points of contact within BFJJC where LEP individuals or persons who are

D/HH/DB will be in contact with court staff. Sometimes people who need language access services, including translated documents, will not request these services because they do not realize that such services are available at no charge, or because they do not recognize the level of English-language proficiency or communication ability needed to effectively participate in the court program, court proceeding, or court services. The first step in providing language access services is to enable LEP individuals or persons who are D/HH/DB to properly identify their language needs.

As a first step towards ensuring that LEP and D/HH/DB individuals are able to properly identify their language needs and to request language access and assistance services, BFJJC has a legal obligation to provide accessible notice to the public of an individual's right to spoken and sign language interpreter services and to be provided vital documents in translated form whenever necessary to access court proceedings and court-managed programs.

### **1. Identifying Language Needs at Points of Access**

The BFJJC will identify language access needs at all points of contact with the court, such as the following:

- Email to court staff:
  - [Carol.vance@co.benton.wa.us](mailto:Carol.vance@co.benton.wa.us)
- Telephone calls to court staff:
  - 509-736-2716
- Receptionist Desk
- Juvenile Detention
- BECCA, Diversion, and Probation programs
- BFJJC Courtrooms

To ensure the earliest possible identification of the need for language access services, the BFJJC has established internal protocols with the various justice partners which routinely interact with this court in order for these partners to communicate to the appropriate court staff the needs of LEP or D/HH/DB participants who will be coming into contact with the court. While justice partners themselves may be under a separate legal obligation to provide language access services to their clients, the court will be notified of any services that fall under the responsibility of the court as early as possible so services may be provided in a timely and efficient manner. Examples of justice partners to be notified include:

- Detention/Probation/Diversion/GAL staff
- Prosecutor/Attorney General
- Attorney/public defender
- Community Resource Providers

## **2. Notice of the Availability of Language Access Services**

In order to facilitate the ability of LEP and D/HH/DB individuals to request their need for language access services, the BFJJC shall provide notice of the availability of language access services translated into Washington State's most frequently used languages that states:

*"You have the right to language access services at no cost to you. To request these services, please contact the Benton & Franklin Counties Juvenile Justice Center via e-mail at [carol.vance@co.benton.wa.us](mailto:carol.vance@co.benton.wa.us), by telephone at 509-783-2151, or by visiting the BFJJC receptionist desk located at 5606 W Canal Pl, Suite 106, Kennewick, Washington".*

The BFJJC displays this notice on its website and at the following locations:

- Receptionist Desk

Additionally, BFJJC has the following resources available at its points of contact, including those listed above when appropriate, to help LEP and D/HH/DB and court staff communicate with each other:

- Language identification cards at all points of contact
- Multi-lingual notices at all appropriate points of contact notifying members of the public of their right to request an interpreter or other language assistance at any point during their contact with the court.
- Truancy, At-Risk, Diversion contracts, Work Crew instructions, Notice and Summons for court, and Conditions of Release.

When it appears that an individual has difficulty communicating due to a language barrier, BFJJC staff must inform the LEP or D/HH/DB person of his or her right to have language access services provided by the courts at no cost to them, even if the LEP or D/HH/DB person has not made a request for the language access services.

## **V. LANGUAGE ACCESS SERVICES**

Once the BFJJC staff has determined interpreter services are required for an LEP or D/HH/DB individual, court staff have access to the following procedures for securing an interpreter.

## **A. Language Access Services Inside the Court Room**

### **1. Appointment of a Certified, Registered, or Qualified Interpreter for In Court Proceedings**

The Legal Process Supervisor will ensure that the BFJJC complies with the following order of preference in appointing an interpreter in RCW 2.43.030:

#### **RCW 2.43.030(1) (b)**

An in-person Certified or Registered interpreter who has been credentialed by the Administrative Office of the Courts shall be appointed, whenever possible, unless good cause is found and noted by the appointing authority. "Good cause" includes, but is not limited to, a determination that:

- (i) Given the totality of the circumstances, including the nature of the proceeding and the potential penalty or consequences involved, the services of an in-person credentialed interpreter are not reasonably available to the appointing authority; or
- (ii) The current list of credentialed interpreters maintained by the Administrative Office of the Courts does not include an interpreter in the language spoken by the LEP.

#### **RCW 2.43.030(2)**

If good cause is found for using an interpreter who is not credentialed by the Administrative Office of the Court, the appointing authority shall make a preliminary determination that the proposed interpreter is able to interpret accurately all communications to and from such person in that particular proceeding. The appointing authority shall satisfy itself on the record that the proposed interpreter:

- (a) Is capable of communicating effectively with the court or agency and the person for who the interpreter would interpret; and
- (b) Has read, understands, and will abide by the code of ethics for language interpreters established by court rules.

In the event no in-person interpreter is available locally, the court or designated authority will weigh the need for moving forward with the proceeding against any possible negative consequences to the LEP or D/HH/DB person's ability to effectively participate in the proceedings through the use of a remote interpreter, as may be allowed by Washington court rule or law. When evidentiary matters are before the court, the court shall reschedule the hearing until an in-person interpreter is available, whether located in-state or out-of-state, and be made present at the hearing.

BFJJC will NOT appoint as interpreters anyone with a potential conflict of interest in the case, including the following: minors; friends and family of the LEP or

D/HH/DB person; advocates and attorneys; justice partner bilingual staff; or anyone deemed unqualified after voir dire by the court.

## **2. Practices in the Appointment and Use of Interpreters**

In appointing interpreters, staff at BFJJC, will ensure that the interpreter and the LEP or D/HH/DB participant can effectively communicate. It is also the practice of BFJJC to:

- Make a determination of the appropriate number of interpreters that may be required for the proceeding. When the proper administration of justice so requires the court will appoint multiple or separate interpreters.
- For long hearing sessions or trials, appoint a team of two interpreters or if no second interpreter is available, allow the interpreter to have frequent breaks to avoid interpreting fatigue, ensure accuracy, and avoid subsequent errors.
- Only allow an LEP or D/HH/DB person to waive his or her right to the assistance of an interpreter if the waiver is knowing, voluntary, and on the record. The waiver of an interpreter may be rejected by the court or later revoked by the person.
- Require interpreters to provide sight translations for documents related to the court proceedings.
- Prohibit interpreters from assisting LEP or D/HH/DB with entering information on court forms without the involvement of court staff in the completion of such forms.

## **3. Calendaring and Scheduling of Interpreters for In-court and Out-of-court Contacts**

BFJJC will provide interpreter services in a timely manner. In order to provide high quality language access services in an efficient manner, BFJJC employs the following practices:

- Coordinating calendars so an interpreter may be available for several matters in the same court location on the same day. Created a court calendar that displays if the juvenile or an association needs interpreting services so that the judicial officer, court certified interpreter, attorneys, prosecutors, and Attorney Generals are aware of the need of a court certified interpreter. This gives the court certified interpreter the information needed to find the client and make sure they are provided interpreting services immediately.
- Coordinating the use of interpreters so that when an interpreter is not busy in a courtroom proceeding, he or she may be available in person or telephonically to assist in other court-managed services.

- Creating a pool of interpreters who may be available by telephone or video to assist in non-evidentiary proceedings or other court programs.

#### **4. Remote Interpreting**

For short non-evidentiary hearings, the BFJJC uses the following remote interpreting technologies:

- Interpreting via WEBEX
- Telephonic interpreting provided by credentialed interpreters
- Telephonic interpreting agencies

The policy or practice of the court with regard to the use of remote interpreting services is as follows:

- Video remote and telephonic interpreting use will be consistent with GR 11.3 and will be used with caution. Generally, in-person interpreters are preferred.
- Telephonic interpreting will be a last resort for courtroom proceedings and reserved for brief non-evidentiary proceedings such as continuances, given that non-verbal cues – not visible when on the telephone – are critical for communication. Telephonic interpreting can be particularly problematic in some circumstances such as for individuals who are deaf or hard of hearing, the elderly, those struggling with mental illness, quiet or nonverbally communicative individuals, and others.
- WEBEX will be used appropriately and will meet the requirements for providing effective communication, including,
  - Real-time, full-motion video, and audio;
  - A clear, large image (75 in. Television screen)
  - A clear transmission of voices (mounted speakers throughout courtroom)
  - Adequate training of staff in utilizing the equipment; and
  - Use of Certified interpreters with legal training

The court requires training for staff and appointing authorities on WEBEX and telephonic interpreting, how to use the technologies, how to best utilize the remote interpreter, and what are appropriate events for such types of remote interpreting service. WEBEX shall not be the only option available to the court and should be used when in-person interpretation services are not available.

## **B. Language Services Outside the Courtroom**

The BFJJC is responsible for taking reasonable steps to ensure that LEP, deaf and hearing-impaired individuals have meaningful access to services outside the courtroom. It is the practice of the court to provide interpreters for court-managed services, programs and operations consistent with state and federal language access mandates. The Contracted Spanish Interpreter checks a calendar daily for scheduled appointments that Juvenile staff in the listed programs below need interpreting services. The counselor will contact the client to schedule appointment and if the client needs interpreting services the counselor will contact the interpreter to contact client for them and schedule appointment. The interpreter will notify counselor to schedule interpreter for that appointment. If there is a need for other language assistance for their appointments Juvenile staff notify the Legal Process Supervisor to schedule other language interpreters after they have been provided this need by the clients. In compliance with such mandates, the court shall provide language access services at:

- Payment window
- Family Team Decision Making
- Guardians Ad Litem
- Receptionist Desk
- Juvenile detention
- Juvenile diversion programs
- Probation offices
- Court interpreter line to leave messages (Contracted Court interpreter checks phone daily and assists Juvenile staff with interpreting services)
- BECCA programs (Truancy, At-Risk, and CHINS appointments with Juvenile Counselors)

The court, in compliance with federal and state civil rights laws and regulations, shall provide the most appropriate language access service for these programs and services, including qualified interpreters, bilingual staff, and translated materials and information. When the most appropriate language access service is the appointment of a qualified interpreter, the court shall follow the guidelines described for the appointment of interpreters. With a contracted Spanish interpreter scheduled daily there is always an interpreter available to meet the court needs and the needs of the court ordered programs. The delay will only occur if another language needs to be scheduled. There is a list of interpreters for additional languages available to the Legal Process Supervisor to contact and schedule accordingly. The hearing may be delayed and re-scheduled so that the legal Process Supervisor can schedule the appropriate interpreter for the newly scheduled hearing. The delay would only be for the next court docket available and would be communicated to the Legal Process Supervisor by a Legal Process staff that is always scheduled in the courtroom for all court dockets at Juvenile court.

As noted in the policy interpretation section earlier, RCW 2.42 requires that courts provide interpreters for persons who are D/HH/DB when they are required to attend court ordered programs or services. In addition to the provision of qualified interpreters in all proceedings where required, court's bilingual staff may assist with language needs outside of court proceedings. Bilingual staff shall be trained to understand their role, how it differs from the role of an interpreter, and that staff are only used for basic communications.

### **C. Translated Forms and Documents**

The BFJJC understands the importance of translating forms, documents, and electronic materials into non-English languages, so that LEP individuals have greater access to the courts' services. Judicial and court staff shall not use web-based applications or software to process or provide translations for LEP individuals.

State forms which have been translated are available at [www.courts.wa.gov/forms](http://www.courts.wa.gov/forms). Additional informational resources translated into Spanish include:

- [A Guide to Washington State Courts / Guía de los Tribunales del Estado de Washington](#)
- [Self-Represented Persons in District Court / Personas que se representan a sí mismas en el Tribunal de Distrito](#)
- [Self-Represented Persons in Municipal Court / Personas que se auto representan en los Tribunales Municipales](#)
- [Self-Represented Persons in Superior Court Civil Proceedings / Personas que se auto representan en procedimientos civiles en el Tribunal Superior](#)
- [An Introduction to Small Claims Court / Una Introducción Al Juzgado De Demandas De Cuantía Menor](#)

The BFJJC currently has the forms listed below translated into Spanish. Any court form that is not translated into Spanish will be read by the Court Certified Interpreter to the Respondent/Parent as needed. Based on the population of Benton and Franklin counties the need for Spanish translated brochures and forms has been identified. Working with the population has enabled BFJJC to identify the area of need in these documents. Evaluations are done through the court and court services programs on identifying the need of services and continually updating new forms, letters, brochures as programs are developed ensuring that the document is translated by an interpreter that is a qualified translator and made available to the clients. BFJJC staff will provide new court documents, letters, brochures, or BFJJC forms to the Legal Process Supervisor who will notify a qualified translator of the need for interpretation.

- Functional Family Therapy brochure
- Truancy process brochure
- At-Risk Youth Notice and Summons with Petition with Spanish translation

- Benton/Franklin Juvenile Court FAQ's brochure
- Juvenile Drug Court contract has Spanish translation
- Diversion contract translated into Spanish
- Notice and Summons/Information filings with Spanish translation
- Visitation Schedule translated into Spanish
- Gang Conditions translated into Spanish
- Work Crew packet translated into Spanish
- Conditions of Release Order translated into Spanish
- Deferred Parent/Respondent statement to court is translated into Spanish

The court shall make available such forms at appropriate locations in its court system and on the court's website. Information posted on the court's website for such forms shall be made accessible in the language the form is translated into. The BFJJC website is updated with new forms or brochures once the translation is completed by the qualified translator. When the Respondent/Parent checks in at the Receptionist counter, a need for interpreter will be made known to the staff and the staff will locate the interpreter if available. The interpreter can share with the Court staff that there is a need for the Spanish translated form or as indicated above will read through the document with the court staff and Respondent/parent along with providing simultaneous interpreting of conversation. The court certified interpreter along with Juvenile Court Staff can notify the Legal Process Supervisor of the need for interpretation of forms, letters, brochure and court documents after working with the public. With changing population needs in our community if the need arises for additional interpretation of court forms, brochures, letters the Legal Process Supervisor will solicit the Interpreter list for a qualified translator of the requested language. If the language is not a court certified language, then a Registered or Qualified interpreter will be provided to read the document to the Respondent/Parent.

This court form or brochure would then be added to the available documents on the BFJJC website. Along with the court staff, Interpreter, or locating on the BJFFC website any request for printed material will be directed to the Legal Process Supervisor. If a translated copy of this printed material is available, it will be provided and if there is none, we will provide interpreter services to read through the printed material with the Respondent/Parent.

#### **D. Providing Emergency Information to LEP Court Customers**

The BFJJC is responsible for taking reasonable steps to ensure that LEP and D/HH/DB individuals have meaningful access to emergency information should an emergency situation arise. The court provides such information in the following ways:

- There are universally understood emergency signs located in the strategic places throughout the courthouse building
- Emergency exits are clearly marked with signs;

- Evacuation map(s) are located in visible public area points with an indication using the most common non-English language (in addition to English) spoken in the area to designate the evacuation map(s).
- Bilingual staff is informed and trained to provide emergency information.

## **VI. TRAINING**

The BFJJC is committed to providing training for all judicial and court staff members who come in contact with LEP and D/HH/DB individuals in order to ensure the successful delivery of language access services. The court will provide staff training on all requirements in this Language Access Plan. Additional training opportunities will include:

- Proper appointment and scheduling of interpreters for all court proceedings and court-managed programs and services
- How to voir dire a non-credentialed court interpreter
- Role of an interpreter, modes of interpreting, and interpreter ethics and professional standards
- Courtroom management when interpreters are used
- Use of remote technologies for interpreting
- Cultural competency
- The role of the interpreter
- Interpreter Ethical Obligations

Training includes an initial training for new staff on the requirements of the current Language Access Plan as part of their orientation and an annual training for existing court personnel. Legal Process Supervisor attends the training webinars provided by AOC and sharing information with BFJJC court staff. Staff that have contact with the public and work in the courtroom are trained annually on the LAP policy and procedures and how to work effectively with in-person contracted court certified interpreters and telephone interpreters through the Washington State Language Line services. Providing the court staff that has contact with the public the training necessary to understand the cultural differences and customs to be able to effectively provide appropriate language services to both LEP persons and persons who are D/HH/DB. This type of training will decrease the risk of creating barriers and providing meaningful access for all LEP persons and persons who are D/HH/DB.

Resources and information regarding language access services, policies and procedures and tools for providing language assistance (such as bench cards, language identification guides, brochures, etc.) are available to all court staff and decision makers at:

- The court's intranet/Website
- The Legal Process Supervisor
- Lobby Area
- Courtrooms
- Conference Rooms where court staff meet with youth and parents.

Providing this information to LEP persons and persons who are D/HH/DB will provide the assistance needed for them to be able to participate in the court or out of court process. If at anytime it appears that the interpreter provided is not communicating effectively with the LEP person or persons who are D/HH/DB, court staff will inquire if there is a need for another interpreter with different language skills to assist. This request will come to the Legal Process Supervisor who will use the court certified interpreter list through AOC to obtain another court certified interpreter or use the Language line to obtain a qualified interpreter for the requested language.

## **VII. COMPLAINT PROCESS FOR NON-COMPLIANCE**

### **1. Complaints Against Local Court**

This specific complaint process is designed to bring to the attention of the local court, and if necessary, the Interpreter Commission, allegations filed by LEP or D/HH/DB parties that the local court is out of compliance with its own Language Access Plan, any applicable federal statutes or regulations, state statutory provisions, such as RCW 2.42 or 2.43 and/or any applicable state or local court rules. This is an informal process whereby the Interpreter Commission may be involved in providing consultation and guidance to LEP parties and local courts in resolving and removing barriers to language access services and resources.

LEP and D/HH/DB individuals are encouraged to first file a complaint with the local court using local court customer complaint filing procedures. The local court complaint rules are as follows:

#### **A. Local Court Complaint Process**

Except in extraordinary circumstances, the complaint must be filed with the Juvenile Court Administrator within 60 days from the date of the events on which the complaint is based. The complaint must be in writing and must be signed. The complaint must include the following information:

- A clear and brief description of the complaint and any evidence upon which the allegation is based, with relevant supporting documentation. The description and supporting evidence should include relevant facts that support the complaint that the court did not provide language access services.
- If possible, the complaint should identify the section(s) of the court's plan, statutes or regulations alleged to have been violated and the time frame in

which the lack of compliance is alleged to have occurred.

The Juvenile Court Administrator will respond to the complainant in writing within 14 business days of the receipt of the complaint.

**Please provide the written and signed complaint to:**

Tim Markham, Interim Juvenile Court Administrator  
5606 W. Canal PI  
Suite 106  
Kennewick, WA 99336  
[Tim.Markham@co.benton.wa.us](mailto:Tim.Markham@co.benton.wa.us)

**B. Complaint Filed with the Court Interpreter Commission (Optional)**

1. Except in extraordinary circumstances, the complaint must be filed with the Interpreter Commission by an aggrieved party within 60 days from the date of the events on which the complaint is based.

Within 3 business days of the receipt of the complaint against a local court, Commission staff will inform complainant, using the contact information provided by complainant, of their option to file their complaint with the Department of Justice and of the need to file such complaint within 180 days from the date of the alleged discrimination.

2. Complaints filed with the Court or AOC must be in writing and must be signed. The complaint must include the following information:
  - a. A clear and brief description of the complaint and any evidence upon which the allegation is based, with relevant supporting documentation. The description and supporting evidence should include relevant facts that support the complaint that the court did not provide language access services.
  - b. If possible, the complaint should identify the section(s) of the court's plan, statutes or regulations alleged to have been violated and the time frame in which the lack of compliance is alleged to have occurred;
  - c. Disclosure of any other channels the complainant is pursuing, including legal action (optional); and
  - d. A statement authorizing the Interpreter Commission to send a copy of the complaint to the court that is the subject of the complaint.

**Complaints filed with the Interpreter Commission should be sent to:**

Washington State Interpreter Commission  
c/o Interpreter Commission Staff  
Administrative Office of the Courts  
PO Box 41170  
Olympia, WA 98504-1170.

Or by contacting James Wells at 360-350-5373 by telephone or via email to [James.Wells@courts.wa.gov](mailto:James.Wells@courts.wa.gov)

**3. Interpreter Commission Complaint Review**

- a. The Interpreter Commission shall determine whether the complaint alleges facts that raise issues relating to the court's compliance with its LAP, federal civil rights laws, RCW 2.42 and/or 2.43 or court rules. This determination shall be made within 10 business days of receiving the complaint. The Interpreter Commission may request additional information from the complainant if appropriate. If the Interpreter Commission concludes that the complaint does not raise issues relating compliance with the LAP, Title VI of the Civil Rights Act, RCW 2.42 and/or 2.43, the matter will be closed; and the complainant will be notified of the decision.
- b. If the Interpreter Commission determines that the complaint may raise possible compliance issues, the complaint shall be sent to the court and a response requested. The Interpreter Commission ordinarily will request the presiding judge of the court or their designee to respond within 30 days.
- c. If the response from the court establishes that the court is not out of compliance with respect to the matters raised in the complaint, the Interpreter Commission will close the matter.

If the court's response does not clearly establish that it is operating in compliance with the matters raised by the complaint, the Interpreter Commission may appoint a fact finder to investigate the issues raised by the complaint and to report on the court's response, if necessary. The complaint, the court's response, and fact-finder's report, if any, shall be referred to the WA Supreme Court Interpreter Commission for any further action deemed necessary by the Commission.

- d. The person making the complaint will be notified promptly regarding
- e. the conclusion of the Commission's review.

### **III. PUBLIC NOTIFICATION AND EVALUATION OF LAP**

#### **A. LAP Approval & Notification**

BFJJC LAP has been approved by the Benton-Franklin Counties Superior Court, *Presiding Judge* and Juvenile Court Administrator and a copy has been forwarded to Washington State's Administrative Office of the Courts Interpreter Program Coordinator. Any revisions to the Plan are to be submitted to the Juvenile Court Administrator for approval, and then forwarded to the Interpreter Program Coordinator. Copies of BFJJC LAP shall be provided upon request. In addition, the court shall post its LAP on its own website at: <http://www.BentonFranklinSuperiorcourt.com/juvenile-justice/>

#### **B. Outreach and Communication of Plan**

The BFJJC shall inform the public of the existence of the LAP and to this end, the court will:

- Collaborate with local bar associations, justice partners and other relevant organizations to ensure distribution of information.
- Translate vital outreach materials into the following languages:
  - o Spanish
- Establish mechanisms for obtaining feedback from the public, attorneys and justice partners regarding the implementation and effectiveness of the administrative protocol and take this feedback into account at the yearly evaluation of the protocol.

#### **C. Annual Evaluation of the LAP**

BFJJC will conduct quarterly a needs assessment to determine whether changes to the LAP are needed. To this end, the court will continue to communicate on an ongoing basis with stakeholders, including LEP and D/HH/DB persons, attorneys, and the public in the following manner(s):

- E-mail and Website announcements regarding updates to court documents, brochures, letters that have been added to the Website.
- Scheduling of a stakeholders meeting as needed to identify the needs for interpreter services in the courtroom and out of court services.

This assessment will be done by reviewing various areas in which the court provides language access services, taking into consideration, at a minimum, the number of interpreters requested by language in the courts and the identification of emerging changes in the languages spoken or signed within the court's local population as identified by any informational means or by other methods. This assessment is completed by the Legal Process Supervisor who is the only

contact for LEP or D/HH/DB services that provided to the BFFJC court or court managed services. These elements can be reviewed by this one person by a tracking system in the local court management system (JTS or Juvenile Tracking System). Data elements can be pulled from this system by using the Crystal reports data query tool. Additional elements can be retrieved from the invoicing process listing out specific hours and programs that the Spanish court certified interpreters billed. The data elements and invoicing process is completed monthly and reviewed for any changes by the Legal Process Supervisor who is involved in the court process daily. Reviewing the court JTS system and working directly with the Court Certified Interpreters daily allows the Legal Process Supervisor to monitor the needs and ensure needed adjustments are made immediately. All needs whether Elements of the assessment evaluation shall include:

- Number of LEP or D/HH/DB persons requesting court interpreters tracked in the local case management system (JTS or Juvenile tracking system-report allows the Legal Process Supervisor to monitor the number of persons requesting court interpreters);
- Assessment of current language by Legal Process Supervisor throughout the year based on needs if additional services or translated materials should be provided.
- Legal Process Supervisor assessing whether staff members adequately understand LAP policies and procedures and how to carry them out; and
- Legal Process Supervisor working with court staff to identify challenges or trends the court is experiencing with providing language access services.
- Legal Process Supervisor working directly with the contracted court certified interpreter and determining if there are any changes with the current services that BFJJC is providing. Communication on any changes or needs that the court should be made aware of. This could result in identifying future improvements in the Language Access program at BFJJC. Information will be provided to attorneys, justice partners, and other relevant persons.
- Soliciting input from stakeholders to gather information regarding changes in language use trends, identified needs, and any other relevant information they may be able to provide.
- Conducting a meeting with internal and external stakeholders to determine what, if any, changes are needed in the LAP.

Any revisions made to the Plan will be communicated to all court personnel, and an updated version of the plan will be posted on the court's web site. In addition, the BFJJC will submit to the AOC a copy of any updated information contained in this LAP within 60 days of its approval by Benton-Franklin Counties Superior Court Presiding Judge and Juvenile Court Administrator.

## D. Ideas for Future Improvements in Language Access

BFJJC will review the results of its annual needs assessment and conduct the following activities:

- Identify any challenges or trends your court is experiencing with providing language access services, sourcing of interpreters, document translation tasks, and website information that is accessible to LEP and D/HH/DB individuals.
- Engage in collaborative efforts with other courts to improve and coordinate interpreter scheduling where interpreter resources are shared. Contacting other courts to locate interpreters for coverage purposes when contracted court certified interpreter is not available.
- Identify and implement changes or improvements identified by your court to improve language access services that are within the scope of this LAP. The listed reports out of the JTS system (Local Juvenile Tracking system) will provide any data necessary to improve the language access services.

### LAP Contact Person

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The effective date of this LAP plan is September, 2024.