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Superior Court of Madera County

Limited English Proficiency (LEP) Plan

I. Legal Basis and Purpose

This document serves as the plan for the Superior Court of Madera 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 Madera County.

This LEP plan was developed to ensure meaningful access to court services for persons with limited English proficiency. Although court interpreters are provided for persons who are deaf or hard of hearing, 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 California provides court services to a wide range of people, including those who speak limited or no English. Service providers include the California Supreme Court, the Courts of Appeal, and the superior courts of the 58 counties.

According to the Judicial Council of California (JCC) Court Interpreter Data Collection System (CIDCS) Metrics Usage of FY 2022-2023, which aggregates court interpreter usage data received from the California trial courts, the most frequently used languages for interpreters in California courts were (in descending order of frequency):

1. Spanish
2. Vietnamese
3. Mandarin
4. Cantonese
5. Korean

B. Superior Court of Madera County

The Superior Court of Madera County will make every effort to provide services to all LEP persons. However, the following list shows the foreign languages that are most frequently used in this court's geographic area.

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- 45 1. Spanish
- 46 2. Mixteco
- 47 3. Amuzgo
- 48 4. Punjabi
- 49 5. Hmong

50

51 This information is based on data collected from the JCC's CIDCS.

52

53 **III. Language Assistance Resources**

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

55 **1. Providing Interpreters in the Courtroom**

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57 Qualified interpreters will be provided in the California courts to LEP court users in all mandated
58 courtroom proceedings and in all court-ordered/court-operated events.

59

60 Where immediate expansion of language access into all civil proceedings overburdens a court's
61 resources, either in terms of availability of appropriately qualified interpreters or availability of
62 funding for interpreting services, the court follows the priorities established in Evidence Code
63 §756 as follows:

- 64 • Domestic Violence (including actions and proceedings under Division 10 (commencing
65 with Section 6200) of the Family Code, as well as actions and proceedings in the
66 following matters in which protective order has been granted or is being sought: (1) the
67 Uniform Parentage Act; (2) dissolution, nullity, or legal separation; and (3) physical
68 abuse or neglect under the Elder Abuse and Dependent Adult Civil Protection Act,
69 commencing with Section 15600 of the Welfare and Institutions Code).
- 70 • Unlawful Detainers (evictions)
- 71 • Termination of Parental Rights
- 72 • Conservatorships and Guardianships
- 73 • Cases where one person is asking for sole custody or visitation
- 74 • Other civil harassment and elder abuse cases
- 75 • Other family law cases
- 76 • Other civil cases

77

78 The Superior Court of Madera County recognizes the benefits to both the public and the court by
79 providing interpreters in all cases, including civil, and will make all attempts to do so when
80 possible.

81 **2. Determining the Need for an Interpreter in the Courtroom**

82

83 The Superior Court of Madera County may determine whether an LEP court customer needs an
84 interpreter for a court hearing in various ways.

85 The need for a court interpreter may be identified prior to a court proceeding by the LEP person
86 or on the LEP person's behalf by counter staff, self-help center staff, family court services, or
87 outside justice partners such as probation/parole officers, attorneys, district attorneys,
88 Department of Child Support Services, social workers, child protection agencies, police
89 agencies, state and local correctional facilities.

90
91 The need for an interpreter also may be made known in the courtroom at the time of the
92 proceeding. The Superior Court of Madera County will display a sign translated into Spanish that
93 states: "You may have the right to a court-appointed interpreter in a court case. Please check
94 with a court employee for assistance." The Superior Court of Madera County will display this
95 sign on the digital calendar displays outside the courtrooms.

96
97 Also, the judge may determine that it is appropriate to provide an interpreter for a court matter.
98 California's Standards of Judicial Administration offer instruction to judges for determining
99 whether an interpreter is needed. Section 2.10 provides that an "interpreter is needed if, after an
100 examination of the party or a witness, the court concludes that: (1) the party cannot understand
101 and speak English well enough to participate fully in the proceedings and to assist counsel, or
102 (2) the witness cannot speak English so as to be understood directly by counsel, court, and jury."
103 The court is directed to examine the party or witness "on the record to determine whether an
104 interpreter is needed if: (1) a party or counsel requests such examination; or (2) it appears to the
105 court that the [person] may not understand or speak English well enough to participate fully in
106 the proceedings."

107
108 To determine if an interpreter is needed, standard 2.10(c) provides that "the court should
109 normally ask questions on the following: (1) identification (for example: name, address, birth
110 date, age, place of birth); (2) active vocabulary in vernacular English (for example: "How did
111 you come to the court today?" "What kind of work do you do?" "Where did you go to school?"
112 "What was the highest grade you completed?" "Describe what you see in the courtroom." "What
113 have you eaten today?") Questions should be phrased to avoid "yes" or "no" replies; (3) the
114 court proceedings (for example: the nature of the charge or the type of case before the court, the
115 purpose of the proceedings and function of the court, the rights of a party or criminal defendant,
116 and the responsibilities of a witness.)"

117
118 Standard 2.10(d) calls on the court to state its conclusion on the record regarding the need for an
119 interpreter. "The file in the case should be clearly marked and data entered electronically when
120 appropriate by court personnel to ensure that an interpreter will be present when needed in any
121 subsequent proceeding."

122
123 Many people who need an interpreter will not request one because they do not realize that
124 interpreters are available or because they do not recognize the level of English proficiency or
125 communication skills needed to understand the court proceeding. The court does not have
126 funding to provide interpreters for non-mandated proceedings. However, the court can provide
127 some assistance within existing funding restrictions and will endeavor to do so for non-mandated
128 proceedings.

129 In a case where the court is mandated to provide an interpreter, but one is not available at the
130 time of the proceeding, even after the court has made all reasonable efforts to locate one, the case
131 will be postponed and continued on a date when an interpreter can be provided.
132

133 When an interpreter is unavailable for a case in which the court is not mandated to provide one,
134 the court takes the following actions: the court will continue the case so that the litigant can
135 provide their own interpreter or until such time as the court can secure one on the litigant's
136 behalf.
137

138 **3. Court Interpreter Qualifications**

139
140 The Superior Court of Madera County hires interpreters for courtroom hearings in compliance
141 with the rules and policies set forth by Government Code section 68561 and California Rules of
142 Court, rule 2.893. The JCC maintains a statewide roster of certified and registered interpreters
143 who may work in the courts. This roster is available to court staff and the public on the Internet
144 at <http://www.courts.ca.gov/programs-interpreters.htm>
145

146 When an interpreter coordinator has made a "due diligent" effort to find a certified or registered
147 court interpreter and none is available, the interpreter coordinator then seeks a noncertified,
148 nonregistered court interpreter, in accordance with the governing local labor agreement.

149 Whenever a noncertified interpreter is used in the courtroom, to either provisionally qualify the
150 interpreter or find cause to permit him or her to interpret the proceeding, judges must, pursuant to
151 rule 2.893, inquire into the interpreter's skills, professional experience, and potential conflicts of
152 interest. A provisionally qualified interpreter is one who, upon findings prescribed in the rule, is
153 designated by the judge as eligible to interpret in a criminal or juvenile delinquency proceeding
154 for a period of six months.
155

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

157
158 The Superior Court of Madera County is also responsible for taking reasonable steps to ensure
159 that LEP individuals have meaningful access to services outside the courtroom. This is perhaps
160 the most challenging situation facing court staff, because in most situations they are charged with
161 assisting LEP individuals without an interpreter present. LEP individuals may come in contact
162 with court personnel via the phone and the public counter.
163

164 The two most common points of service outside the courtroom are at the court's public counters
165 and self-help center. Bilingual assistance is provided at the public counter by the placement of
166 bilingual staff as is practical. The court also periodically calls on other bilingual staff from
167 elsewhere in the court to assist at a public counter. Similarly, the court's self-help center recruits
168 and employs bilingual staff to provide self-represented litigants with assistance in understanding
169 and completing necessary forms.
170

171 Providing language services outside the courtroom entails both daily communications and
172 interactions between court staff and LEP individuals to provide accessibility of court services,

173 such as self-help and mediation services to LEP court users.

174 To facilitate communication between LEP individuals and court staff, the Superior Court of
175 Madera County uses the following resources to the degree that resources are available:

176

- 177 • Court interpreters, to the extent permitted under the active memorandum of
- 178 understanding or independent interpreter contract;
- 179 • Bilingual employees;
- 180 • Use I-Speak cards to assist in identifying the language spoken, as appropriate.

181

182 To provide linguistically accessible services for LEP individuals, the Superior Court of Madera
183 County provides the following:

184

- 185 • Self-help center services that include bilingual self-help center staff that provide self-help
- 186 services to LEP persons in their primary language;
- 187 • Interpreter services to assist in family court services mediations for custody and visitation
- 188 matters;
- 189 • Interpreter services in Court ordered psychiatric evaluations;
- 190 • Written informational and educational materials and instructions in Spanish when
- 191 available.

192

193 **C. Translated Forms and Documents**

194

195 The California courts understand the importance of translating forms and documents so that LEP
196 individuals have greater access to the courts' services. The Superior Court of Madera County
197 currently uses Judicial Council forms and instructional materials translated into commonly used
198 languages.

199

- 200 • These translated forms are available at the court's Web site for internal use and are
- 201 available to the public at <http://www.courts.ca.gov/forms.htm> as well as at the court's
- 202 self-help center;
- 203
- 204 • The court also has access to instructional materials that have been translated by other
- 205 courts at <http://www.courts.ca.gov/partners/equalaccess.htm>.
- 206

207

207 Interpreters at court hearings are expected to provide sight translations of court documents and
208 correspondence associated with the case.

209

210 **IV. Court Staff and Volunteer Recruitment**

211 **A. Recruitment of Bilingual Staff for Language Access**

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

- 214 • Court interpreters to serve as permanent employees of the court;
- 215 • Bilingual staff to serve at public counters;
- 216 • Bilingual staff in the court's self-help centers; and,
- 217 • Bilingual staff who are on call to assist with contacts from LEP individuals, as needed.

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

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222 The Superior Court of Madera County is committed to providing LEP training opportunities for
223 all judicial officers and staff members. Training and learning opportunities currently offered by
224 the Superior Court of Madera County will be expanded or continued as needed. Those
225 opportunities include:

226

- 227 • Interpreter coordinator training, when training opportunities and budget allows;
- 228 • Diversity Training;
- 229 • Statewide conferences on language access or conferences that include sessions dedicated
230 to topics on language access;
- 231 • New employee orientation training; and,
- 232 • Judicial officer orientation on the use of court interpreters and language competency.

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235 **VI. Public Notification and Evaluation of LEP Plan**

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237 **A. LEP Plan Approval and Notification**

238 The Superior Court of Madera County's LEP plan is subject to approval by the presiding judge
239 and court executive officer. Upon approval, a copy will be forwarded to the JCC, LEP
240 Coordinator. Any revisions to the plan will be submitted to the presiding judge and court
241 executive officer for approval, and then forwarded to the JCC. Copies of Superior Court of
242 Madera County's LEP plan will be provided to the public on request. In addition, the court will
243 post this plan on its public Web site, and the JCC will post a link to it on the Judicial Council's
244 public Web site at www.courtinfo.ca.gov.

245

246 **B. Annual Evaluation of the LEP Plan**

247 The Superior Court of Madera County will routinely assess whether changes to the LEP plan are
248 needed. The plan may be changed or updated at any time but reviewed not less frequently than
249 once a year.

250

251 Each year Court Administration will review the effectiveness of the court's LEP plan and update
252 it as necessary. The evaluation will include identification of any problem areas and development
253 of corrective action strategies. Elements of the evaluation will include:

- 254 • Number of LEP persons requesting court interpreters;

- 255 • Assessment of current language needs to determine if additional services or translated
256 materials should be provided;
- 257 • Assessment of whether court staff adequately understand LEP policies and procedures
258 and how to carry them out; and
- 259 • Review of feedback from court employee training sessions.

260
261 **C. Trial Court LEP Plan Coordinator:**

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263 Coordinator of Interpreters/Administrative Services
264 200 South "G" Street
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268
269
270 **D. JCC LEP Plan Coordinator:**

271 Douglas G. Denton
272 Principal Manager
273 Language Access Services Program
274 Judicial Council of California
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278
279 **E. LEP Plan Effective date: January 1, 2025**

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281
282 **F. Approved by:**

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284
285
286 Presiding Judge:



DALE J. BLEA

Date

12-31-24

287
288
289
290 Court Executive Officer:



ADRIENNE Y. CALIP

Date

12-31-2024